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# A study of the activities of James Dunwoody Bulloch: Confederate naval agent in Great Britain

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A STUDY OF THE ACTIVITIES OF JAMES <sup>DUNWOODY</sup> [DUNWOODY] BULLOCH:  
CONFEDERATE NAVAL AGENT IN GREAT BRITAIN  
(1861-1865)

A Thesis  
Presented to the  
Department of History  
and the  
Faculty of the College of Graduate Studies  
University of Omaha

In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts

by 784  
Michael T. Young  
June 1968

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Accepted for the faculty of the College of Graduate  
Studies of the University of Omaha, in partial fulfillment  
of the requirements for the degree Master of Arts.

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## PREFACE

When I first thought of writing this paper it seemed like an insurmountable task. I certainly would never have completed the task if it had not been for the capable advice and assistance of several people.

I was bewildered in the entanglement of British-American relations seeking a possible thesis topic when I disinterred the name of James Dunwoody Bulloch. James Bulloch was a Southern gentleman who had vision and ability. He was as valuable to the Confederate Navy as Lee was to the Confederate Army. Bulloch's exploits were not recorded in the history books as arduously as were those of Northern Naval officers such as David G. Farragut and David D. Porter. Fate seems to reserve a grave of obscurity for men who fight on the losing side.

Without Dr. Paul L. Beck's capable assistance and guidance, this paper would never have been completed. His expenditure of time and effort was greatly appreciated.

As any researcher knows, materials are the tools of his trade, and Miss Ella Jane Dougherty supplied those tools time after time. Due to her effort and advice I was able to secure many valuable sources through

inter-library loans. Her cheerful assistance made the task much more enjoyable.

I would also like to thank the Department of History at the Vanderbilt University. Through the use of one of their doctoral dissertations on this subject, I was able to glean much pertinent information.

TABLE OF CONTENTS

	Page
PREFACE . . . . .	111
INTRODUCTION . . . . .	1
Chapter	
I. THE CONFEDERATE NAVY, AN APPARITION . . . . .	9
Bulloch's Mission	
Early Financial Problems--1861-1862	
Fraser, Trenholm and Company	
II. BRITISH FOREIGN ENLISTMENT ACT--1819 . . . . .	29
The Queen's Proclamation	
F. S. Hull--Legal Advisor	
Federal Surveillance	
The Precarious Position of the British	
Government	
III. BULLOCH'S INITIAL SUCCESSES . . . . .	54
Fingal	
Florida Alias Oreto	
The Alabama, Ignominy for England	
Conflict with James H. North	
IV. IRONCLAD RAMS . . . . .	80
Laird Rams	
Alexandra	
V. A CHANGE IN BRITISH POLICY . . . . .	101
Georgiana	
Shenandoah	
CONCLUSION . . . . .	117



APPENDIXES . . . . . 122

- A. British Foreign Enlistment Act--1819
- B. Queen's Proclamation--1861
- C. Naval Chart of Confederate Cruisers of  
European Origin

BIBLIOGRAPHY . . . . . 128

## INTRODUCTION

To understand the Civil War one must go beyond the political disputes, the military maneuvers, and the social history of the period. The conflict between the United States and the Confederacy was a major event in international affairs. The shooting war began on the Atlantic Ocean when the Confederates drove the steamer Star of the West away from Fort Sumter on January 9, 1861. The steamer was trying to bring provisions to the garrison at Fort Sumter. The war did not end at Appomattox but many miles away in the Bering Sea. It was near the Arctic Circle that the last Confederate cruiser, Shenandoah, captured ten Yankee whaling vessels on June 28, 1865, and ended the last Confederate hostilities.<sup>1</sup>

Yet the naval phase of the Civil War has been neglected. Except for the battle between the Merrimac and the Monitor and the sinking of the Alabama by the Kearsarge little has been written about the Confederate Navy. Historians have tended to ignore what happened in Europe or on the high seas. At the same time it was in

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<sup>1</sup>James Dunwoody Bulloch, The Secret Service of the Confederate States in Europe Or How the Confederate Cruisers Were Equipped, Vol. I (New York: G. P. Putnam's Sons, 1884), p. v.

Europe that the fate of the Confederacy was determined. The destiny of the United States appears to have been decided in the chancelleries of Europe, and except for a few major land battles, the outcome was influenced more by what happened on the sea than on the land.<sup>2</sup> Since the Confederacy did not win many major battles on the high seas even Confederate historians have tended to underplay naval affairs. Few officers in the Confederate Navy had an opportunity to use their professional naval skills. In fact few of them were employed in strictly naval operations.<sup>3</sup>

The Confederate Navy suffered a blow at the very beginning of the war on April 19, 1861, when the United States Government promptly proclaimed a blockade of all Southern ports from South Carolina to Texas. Many critics of the Northern Secretary of State, William H. Seward, believed this action paved the way for English recognition of the Confederacy as a belligerent. Some historians have suspected that British leaders would have recognized the independence of the Confederacy if they had thought the Confederate States had a better than fifty percent chance of winning the war.<sup>4</sup>

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<sup>2</sup>Ibid., p. vi.

<sup>3</sup>Ibid., pp. vi-vii.

<sup>4</sup>Ibid., p. vii.

Jefferson Davis, President of the Confederacy, never cared much for foreign diplomacy, but he knew that he had to persuade European nations to back the Confederacy if he were to win. To do this, he chose two men, William Lowndes Yancey and Ambrose Dudley Mann, to represent the de facto Confederate Government in England. Both men were failures in the world of shrewd European statesmen.<sup>5</sup> On the other hand, the Confederate Government did a much better job when they selected James D. Bulloch to represent the Confederate Navy in England. He was clever, well-informed, and quite successful in carrying out his duties.<sup>6</sup>

James D. Bulloch was born June 25, 1823, near Savannah, Georgia.<sup>7</sup> His great-grandfather, Archibald Bulloch, took an active part in the American Revolutionary War. James Dunwoody's father, Major James Stephens Bulloch, was one of the progressive men of his day and backed the Savannah--the first steamship to cross the Atlantic Ocean.<sup>8</sup> James' father married twice; his second wife had a girl named Martha, who later married Theodore Roosevelt, Sr. So

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<sup>5</sup>Philip Van Doren Stern, When the Guns Roared: World Aspects of the American Civil War (New York: Doubleday and Company, 1965), p. 15.

<sup>6</sup>Ibid., p. 68.

<sup>7</sup>Bulloch, I, p. x.

<sup>8</sup>Ibid.

James was the half-brother of Martha and Uncle to Theodore Roosevelt, who became President of the United States. Bulloch also had a half-brother named Irving, who later became an officer of the Alabama.<sup>9</sup> Captain Bulloch spent his early childhood near the port of Savannah, but he was later taken to live at the family home, Roswell, not far from present day Atlanta. In 1839 he entered the United States Navy as a midshipman. For ten years he slowly improved his position in a branch of the services that had hardly changed since the Revolution.<sup>10</sup> During Bulloch's training he came in contact with some of the officers, who were to command the Federal fleets during the Civil War. Bulloch succeeded David Dixon Porter to the command of the Georgia. This steamer was the first one subsidized by the United States to carry mail to California.<sup>11</sup> Having experienced the opportunities in the private Mail Packet services, he resigned his commission and centered his private shipping interests around New York. He was still in the Mail Packet service when the Secession crisis broke out in December of 1860 and the early months

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<sup>9</sup>Lucian Lamar Knight, Georgia's Landmarks Memorials and Legends, Vol. II (Atlanta, Georgia: Byrd Printing Company, 1914), p. 219.

<sup>10</sup>Bulloch, I, p. x.

<sup>11</sup>Knight, II, 219.

of 1861.<sup>12</sup> At the outbreak of war Captain Bulloch was in command of the steamer Bienville doing service between New York and New Orleans. Georgia, Bulloch's native state, had seceded on January 19, 1861, but for another two months there was no direct clash between the United States and the Confederacy. On April 13th, however, when he was preparing to sail from New Orleans, news arrived that Fort Sumter in Charleston Harbor, South Carolina, was under fire.<sup>13</sup> Captain Bulloch, being a Southerner at heart, offered his services to the new Confederate States of America. He was still in command of a ship whose owners were on the side of the United States, and the return voyage had not been completed. Bulloch explained to Judah P. Benjamin, Attorney General for the Confederate States at the time, that he would have to take the Bienville back to New York, and return her to those to whom she belonged. Upon arrival in New York Bulloch would then be ready for any service to the Confederate Government.<sup>14</sup>

Bulloch was determined to return the Bienville even though the de facto Confederate Government needed the

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<sup>12</sup>Patrick C. Courtney, "Secret Agent Extraordinary," Confederate Research Review, No. 2 (December, 1954), p. 1.

<sup>13</sup>Ibid.

<sup>14</sup>Bulloch, I, 33.

ship. He was approached by two members of the Board of War while still in New Orleans. They wanted Bulloch to sell the Bienville to the Confederate States, but Captain Bulloch said he had no authority to sell the ship.<sup>15</sup> He assured them he could not give up the ship no matter what the offer from the Governor. They in turn informed him that it would probably be necessary to take the ship by force. Bulloch feared as much, and so he decided to make a run for it on the morning of April 14th.<sup>16</sup> Meanwhile, the Governor had telegraphed for instructions from the authorities at Montgomery. Happily for Bulloch the necessity for flight did not arise. The reply from Jefferson Davis read, "Do not detain the Bienville; we do not wish to interfere in any way with private property."<sup>17</sup> The Bienville returned to New York, after stopping off at Havana, and arrived on the evening of April 22nd. As soon as the Bienville was berthed Bulloch was informed by one of the managing directors of the company that she was to be used by the Federal Government to take troops to Washington to protect against a possible Confederate attack. Bulloch refused to go on the enterprise. Fortunately, he was

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<sup>15</sup>Ibid.

<sup>16</sup>Ibid., p. 34.

<sup>17</sup>Ibid., p. 35.

not pressed for reasons, and he was able to retire without attracting any special attention. Later on in the war Bulloch recognized the Bienville off the port of Savannah, where she formed a part of the Federal fleet.

It had been nine days since Bulloch had written Judah Benjamin, and he had not received an answer.<sup>18</sup> He was in some doubt as to what his next move should be. He feared postal and telegraphic intercourse between the United States and Confederate Government would close at any moment. His fears were relieved upon finding a letter at his residence; it must have been among the last to come through the regular United States mail. The letter was brief and to the point, "The Secretary of the Navy desires you to come to Montgomery without delay."<sup>19</sup>

Bulloch casually wound up his business affairs, but made no mention to his associates of his intentions. If he had made a hurried departure he would undoubtedly have been arrested.<sup>20</sup> Most likely he was not detained because he had returned the Bienville to New York. This action tended to remove any suspicion of his loyalty. Captain

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<sup>18</sup>Ibid., p. 35. Judah P. Benjamin was Attorney-General of the Confederacy from February, 1861 to September, 1861. He was Secretary of War from September, 1861 to February, 1862. He also served as Secretary of State, from February, 1862, to April, 1865. Ibid., p. 38.

<sup>19</sup>Ibid., p. 38.

<sup>20</sup>Courtney, Confederate Research Review, No. 2, p. 1.



Bulloch returned to the Confederacy and arrived in Montgomery on May 7th. Once he was across the Kentucky border he felt he would be free from the danger of being asked at any moment to give an account of himself. He was informed by Judah P. Benjamin that the Secretary of the Confederate Navy, Stephen R. Mallory, was anxiously awaiting his arrival.

## CHAPTER I

### THE CONFEDERATE NAVY, AN APPARITION

Prior to his appointment as Confederate Secretary of the Navy, Stephen R. Mallory had served as a member of the Committee on Naval Affairs in the United States Senate. "He was well versed in naval usage and naval law, and he had a thorough knowledge of the organization, equipment, and general disciplinary rules of the United States Navy."<sup>1</sup> With such knowledge Mallory would have been a credit to any naval power, but in the Confederacy he was "an artizen without the tools of his art."<sup>2</sup> The seceded States lacked all the vital metals within their borders; consequently, there was little manufacturing and a poor railroad system.<sup>3</sup> The Confederacy was not even capable of turning out a complete marine steam engine. They lacked almost everything needed for shipbuilding.<sup>4</sup>

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<sup>1</sup>Bulloch, I, 20.

<sup>2</sup>Ibid.

<sup>3</sup>William Diamond, "Imports of the Confederate Government from Europe and Mexico," Journal of Southern History, VI (February-November, 1940), 382-84.

<sup>4</sup>Joseph Thomas Durkin, Stephen R. Mallory: Confederate Navy Chief (Chapel Hill, North Carolina: University of North Carolina Press, 1954), p. 150.

To offset the United States' naval superiority Mallory turned to a plan for having ironclad vessels built in Europe.<sup>5</sup> Despite the many inadequacies, the forests in the Confederacy were rich in naval stores. However, it had few skilled naval workers, no iron, and lacked both public and private shipyards.<sup>6</sup> The Confederate States had no ships constructed for war, nor did they have a large merchant marine. The total of ships built in 1854 in Southern ports was less than that built, in tonnage, in the small state of New Hampshire.<sup>7</sup>

Some historians have found fault with Mallory for not shipping all the cotton the Confederacy had on reserve to England before the United States blockade was well established. These critics seem to have overlooked the shortage of Confederate ships. Bulloch backed Mallory by saying there were not enough Confederate vessels in March of 1861 to transport the cotton to Europe in exchange for money with which to build a Confederate Navy.<sup>8</sup> However,

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<sup>5</sup>Ibid., p. 153.

<sup>6</sup>William Rodimon, "The Confederate Cruiser Florida" (unpublished Master's dissertation, University of Alabama, 1939), p. 2.

<sup>7</sup>Mountague Bernard, A Historical Account of the Neutrality of Great Britain During the American Civil War (London: Longmans, Green, Reader, and Dyer, 1870), p. 82.

<sup>8</sup>James Merton Callahan, The Diplomatic History of the Southern Confederacy (Baltimore: The Johns Hopkins Press, 1901), pp. 89-90.

Captain Bulloch did feel that the Confederate Government should have bought all the private ships being used to transport cotton and also should have assumed complete control over the movement of cotton and supplies. This action, he believed, would have cut costs for the Government and extended its political influence in Europe.<sup>9</sup> In 1864 Bulloch's suggestion was finally considered by the Confederate Government. If the trade had been handled properly, some authorities believe British recognition of the Confederate States of America might have been extended.<sup>10</sup>

Secretary Stephen R. Mallory gave a report on April 26, 1861, to the Navy Department indicating his plans and described the situation as follows:

With the necessary preparation effected, there can be no doubt that ships can be constructed within the Confederate States as economically as in any other part of the continent, but delay and expense are necessarily involved in such preparation. The estimates submitted to the department for constructing ships exhibit a difference of 80 per cent between the offers of builders who are familiar with and prepared for the construction of war vessels in Northern ports and those of our own ports.

I propose to adopt a class of vessels hitherto unknown to naval services. The perfection of a warship would doubtless be a combination of the greatest known floating battery and power of resistance; and such a combination has been diligently but vainly sought, with but little regard to cost, by Great Britain and France.

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<sup>9</sup>Ibid., p. 105.

<sup>10</sup>Ibid., p. 106.

Vessels built exclusively for ocean speed, at a low cost, with a battery of one or two accurate guns of long range, with an ability to keep the sea upon a long cruise and to engage or to avoid an enemy at will, are not found in their navies, and only to a very limited extent in that of the United States, the speed and power of whose ships are definitely known. The latter power has built a navy; we have a navy to build; and if in the construction of the several classes of ships we shall keep constantly in view the qualities of those ships which they may be called to encounter we shall have wisely provided for our naval success.<sup>11</sup>

Mallory went on to explain the need for steam vessels which could be advantageously employed against Northern commerce. He had sought such vessels, but he stated they were hard to find and up to that time his agents had purchased only two--the Sumter and Mc Rae. Both were being constructed as cruisers and would be prepared for sea as soon as possible.<sup>12</sup> Mallory further reported that side-wheel steamers were unfit for cruising men-of-war because of the possibility that one single shot could disable the whole ship. Propellers were being adopted by such naval powers as England and France, and he wanted vessels of this type for the Confederate Government. Such vessels could not be found in the seceded States, so he recommended

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<sup>11</sup>Report of S. R. Mallory to the President, April 26, 1861, in Official Records of the Union and Confederate Navies in the War of the Rebellion (31 vols.; Washington, D.C.: Government Printing Office, 1894-1927), Ser. II, Vol. II, 51. (Cited hereafter as ORN.)

<sup>12</sup>Ibid., p. 52.

purchasing or constructing them abroad.<sup>13</sup> Secretary Mallory also recommended that the use of timber in the Confederacy be made a government monopoly when he stated that:

The preservation of forest timber for the naval shipbuilding requires the attention of Congress. No nation of the earth possesses ship timber of equal excellence or in equal abundance; and, while Great Britain, France, and Russia are carefully guarding and providing for the preservation of every forest tree of their own useful for naval purposes and are obtaining large supplies of spars for heavy ships from our States, we can not with prudence ignore the subject.<sup>14</sup>

On July 18, 1861, Mallory made another report indicating what progress had taken place since April. Three steamers had been purchased, and all were armed and equipped at New Orleans. The Jackson had joined the Mc Rae and Sunter. More protection by naval means for the coasts of Louisiana and the Mississippi River was to be gained by the addition of the five gunboats under construction.<sup>15</sup> The Confederate Naval Department also purchased from the State of North Carolina five small steamers, whose draft of water enabled them to pass through shallow inland waters. Three side-wheel steamers were also purchased from the State of Virginia.<sup>16</sup>

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<sup>13</sup>Ibid.

<sup>14</sup>Ibid., p. 54.

<sup>15</sup>Report of Mallory to the President, July 18, 1861, ORN, Ser. II, Vol. II, 76.

<sup>16</sup>Ibid., p. 77.

Efforts were also made to recruit seamen for the fledgling Confederate Navy. The Confederate Marine Corps at Pensacola had recruited a total of 500 men from the following classes: seamen, ordinary seamen, landsmen, and boys since March 15, 1861. A total of 500 additional men of these classes was also employed upon Mallory's request.<sup>17</sup>

The Confederate Navy was also trying to procure lumber from the voluminous Southern forests to construct Confederate vessels, but iron, the indispensable ingredient needed to develop a good fleet of naval vessels, was missing. Between March, 1861, and January, 1865, the price of iron increased from \$25 to \$1,300 per ton, a tremendous increase even if inflation is considered.<sup>18</sup>

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<sup>17</sup>Ibid., p. 78.

<sup>18</sup>Bulloch, I, 21. Blocked by the individual states in moves toward direct taxation, and cut off from export and import revenues by the Federal blockade, the Confederacy was forced to depend almost entirely upon treasury notes and bond issues to meet current expenses. During the first eighteen months of the war the agents abroad were financed chiefly by the use of letters of credit or Treasury warrants, and bills of exchange. Bills of exchange were purchased from Southern banks and business firms with Confederate money, and these businesses would ship gold or cotton abroad to meet the bills. The rate of exchange mounted rapidly, and soon became prohibitive. On January 24, 1862, gold was selling at twenty-five percent premium. By October, 1862, sterling was worth 150% premium, and from then on the premium rose rapidly to 1000% by October, 1863. Samuel Bernard Thompson, Confederate Purchasing Operations Abroad (Chapel Hill, North Carolina; University of North Carolina Press, 1935), pp. 48-49.

At the beginning of the war there was not a mill in all the Confederacy that could roll a 2½ inch plate.<sup>19</sup>

Norfolk, Virginia, and Pensacola, Florida, contained the only public dockyards within the Confederate territory.<sup>20</sup> Neither of these naval arsenals was complete. Their value as locations to outfit cruisers for sea was limited because the Federal Navy had fortifications at their entrances consisting of a powerful combination of ships and land batteries. A thorough blockade of Norfolk and Pensacola was maintained by the Union forces throughout the War.<sup>21</sup>

There was equal deficiency with respect to private dockyards. The conditions of soil, labor, and climate had made the South primarily agricultural rather than commercial. The carrying trade of the South, which consisted of valuable and bulky staples, had even been handled by vessels from New England and Middle Atlantic states.<sup>22</sup> At the beginning of the year 1861 there was not within the whole boundary of the Confederacy, a single private yard that had the plant capable of building and equipping a cruising ship of even moderate offensive

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<sup>19</sup>Bulloch, I, 21.

<sup>20</sup>Ibid.

<sup>21</sup>Ibid., p. 22.

<sup>22</sup>Ibid.



power.<sup>23</sup> When President Davis of the Confederacy and his Cabinet contemplated the paucity of supply and poverty of Confederate resources, they concluded that a navy had to be built abroad.<sup>24</sup> As early as April, 1861, Mallory was determined to send an agent to England to buy or have constructed ships meeting Confederate specifications.<sup>25</sup> Mallory, like his counterpart in the North, Secretary of the Navy Gideon Welles, was well informed of recent developments in naval techniques.<sup>26</sup> He was interested in an iron-clad vessel and he knew England was making great strides in shipbuilding because of her competition with France.<sup>27</sup> England, with her skilled artisans and ample supply of iron, seemed a likely place to send a Confederate Naval agent.

#### Bulloch's Mission

Upon Mallory's request James Bulloch appeared at the Navy Department on the morning of May 8. Mallory wasted

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<sup>23</sup>Ibid. A ship having moderate offensive power would be similar to the Florida-695 tons or the Alabama-1024 tons. J. D. Bulloch to S. R. Mallory, August 13, 1861, ORN, Ser. II, Vol. II, 85.

<sup>24</sup>Bulloch, I, 22.

<sup>25</sup>Ibid.

<sup>26</sup>Philip Van Doren Stern, Guns Roared, p. 14.

<sup>27</sup>Frank Lawrence Owsley, Jr., King Cotton Diplomacy. Foreign Relations of the Confederate States of America (Chicago: University of Chicago Press, 1931), pp. 394-95.

no words when he said, "I am glad to see you: I want you to go to Europe. When can you start?"<sup>28</sup> Bulloch replied he could leave immediately; although, he was surprised to hear of his assignment as he had thought that his service would be to assist in the Mississippi River defenses.<sup>29</sup>

Bulloch, nevertheless, was ready to do whatever he could to assist the cause and stated later:

The South was outnumbered in population at least five to one. In military and naval resources the disproportion was many times greater. The only hope of success lay in the prompt and energetic use of her whole strength, and it was the bounden duty of everyone to accept the position and employment allotted to him without cavil or remonstrance.<sup>30</sup>

Mallory reminded Bulloch of the sad plight of the Confederate Navy, and he thought it "of prime importance to get cruisers at sea as soon as possible, to harrass the enemy's commerce . . . ."<sup>31</sup> Mallory hoped this harrassment of the enemy's commerce would bring Federal ships-of-war to the defense of commercial vessels and, consequently, weaken the blockade.<sup>32</sup> Bulloch made the following comment concerning Mallory's instructions:

<sup>28</sup>Bulloch, I, 41.

<sup>29</sup>Ibid., p. 45.

<sup>30</sup>Ibid.

<sup>31</sup>Ibid., p. 46.

<sup>32</sup>Ibid.

Reverting to the special objects of my mission, he /Mallory/ impressed upon me the wish of the Government to get cruising ships of suitable type afloat with the quickest possible despatch, and urged me to buy and forward naval supplies of all kinds without delay. He authorized me to practice a wide discretionary power within the limits of his general instructions. . . .<sup>33</sup>

Captain Bulloch was to buy, or have built in England, six steam propellers to prey upon Northern commerce.<sup>34</sup>

Mallory's instructions to Bulloch were as follows:

Although these vessels are required immediately, and the great importance of purchasing rather than encountering the delay of constructing them is apparent, it is not less important that they should possess the essential qualities desired. It may therefore be found necessary to construct them.

Should you determine upon this course, it will be necessary to adopt measures not only to secure the ends desired, and the execution of your contracts in good faith, but which will shield us from the errors as well as the undue exactions of builders and constructors. It is not necessary that this Government should be recognized in the transactions, and it will be expedient for you to make your contracts through the intervention of some well known and established English commercial house . . . .

\* \* \* \* \*  
The class of vessels desired for immediate use is that which offers the greatest chances of success against the enemy's commerce, and in their selection the department is unwilling to limit your judgment. But as side-wheel steamers can not be made general cruisers, and as from the enemy's force before our forts, our ships must be enabled to keep the sea, and to make

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<sup>33</sup>Ibid., p. 48.

<sup>34</sup>Owsley, King Cotton, p. 394.

extended cruises, propellers fast under both steam and canvas suggest themselves to us with special favor.<sup>35</sup>

Furthermore, Mallory stated that large ships were unnecessary. The ships desired need be only large enough to support "a battery of one or two heavy pivot guns and two or more broadside guns, being sufficient against commerce."<sup>36</sup> Mallory also gave Bulloch orders to purchase ammunition, spare parts for both pistols and carbines, and guns for the army. "A supply for each vessel must also be obtained and 10,000 pounds of cannon and 2,000 pounds of musket powder."<sup>37</sup>

As an additional assignment Bulloch was to attempt to recruit crews of able seamen in England. To induce enlistments, high wages, promotions, and prize money were offered. The vessels were to be prepared so that no detention would be necessary in Confederate ports; hence a supply of naval stores and provisions for a six-month cruise were to be placed aboard.<sup>38</sup>

Bulloch had his orders, but his first problem was to get out of the Confederate States. Only sailing

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<sup>35</sup>S. R. Mallory to J. D. Bulloch, May 9, 1861, ORN, Ser. II, Vol. II, 64.

<sup>36</sup>Ibid.

<sup>37</sup>Ibid.

<sup>38</sup>Ibid.

vessels were available; therefore, he was ordered to travel through the extreme western states and on into Canada and take a ship there that would go directly to England. He made his journey without incident and arrived in Liverpool, England, June 4, 1861, aboard the steamer North America.<sup>39</sup>

#### Fraser, Trenholm and Company

When he arrived in England, Bulloch presented himself to the financial agents of the Confederacy--Messrs. Fraser, Trenholm and Company. They were a Liverpool branch of the Charleston banking firm of John Fraser and Company which was headed by George A. Trenholm.<sup>40</sup> George A. Trenholm remained in Charleston, and an arrangement was made by which cotton of the Confederate Government was to be sent to the Company to be drawn against by the purchasing agents of the Confederacy. Thus, early in the War the Confederacy had set up a branch of their Treasury Department in England.<sup>41</sup>

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<sup>39</sup>Courtney, Confederate Research Review. No. 2, p. 1.

<sup>40</sup>Brooks Adams, "The Seizure of the Laird Rams," Massachusetts Historical Society Proceedings, XLV (October, 1911-June, 1912), 290. George A. Trenholm, later Secretary of the Confederate Treasury, became a senior partner in both firms by an agreement in 1853. The firms of Trenholm and Fraser had an interlocking directorate, and they had been associated for many years before the war. Samuel Bernard Thompson, Confederate Purchasing Operations Abroad. (Chapel Hill, North Carolina; University of North Carolina Press, 1935).

<sup>41</sup>U.S., Congress, Senate, The Case of the United States to Be Laid Before the Tribunal of Arbitration, 42d Cong.,

It is difficult to calculate the immense value of this Company to the Confederacy. The financial difficulties of dealing with a foreign country that did not officially recognize the Confederacy could have been insurmountable to the Confederate Government if Fraser, Trenholm and Company had not filled this void with their services.

The American bankers, headed by Charles K. Prioleau, received Bulloch with cordiality and trust. No Confederate funds had been deposited with them, and yet they authorized Bulloch to give out such orders as were of pressing importance.<sup>42</sup>

The stage for Bulloch's arrival had already been set by Captain Caleb Huse, who had preceded Bulloch to England. Bulloch's negotiations for vessels were greatly facilitated by Huse's earlier efforts. Captain Huse had been sent to Europe by the Confederate War Department to obtain ordnance for the army.<sup>43</sup> Supplied with Confederate money, Bulloch had been able to buy naval

2d Sess., 1872, Executive Doc. Vol. I, No. 31, p. 91.  
(Cited hereafter as Executive Documents, Vol. I, No. 31.)

<sup>42</sup>Bulloch, I, 52. Charles K. Prioleau was a citizen of the United States, but when the war broke out he was dispatched to England and became a naturalized British subject. Prioleau was to take charge of the Liverpool business and manage the firms affairs in England.  
Executive Documents, Vol. I, No. 31, p. 91.

<sup>43</sup>Ibid., p. 53.

supplies and get construction started on the first foreign-built Confederate cruiser within a month's time.

The fact that Bulloch, from the very beginning, was able to get Confederate vessels such as the Alabama and Florida to sea was due to the financial backing of two companies--Fraser, Trenholm and Company and Fawcett, Preston and Company.<sup>44</sup>

#### Early Financial Problems

In spite of some initial successes Bulloch encountered discouraging circumstances in his efforts to secure ships for the Confederate Government. He soon learned that the actual manufacture of ships demanded immediate payment before construction could be started.<sup>45</sup> Bulloch also found that the United States agents in England were buying munitions in large amounts. These Federal agents, supported by a government which was fiscally sound, actually were bidding against each other. This, of course, increased prices to their government and to that of any other potential buyer.<sup>46</sup> The initial funds Bulloch had to work with as of July were as follows: \$600,000 cash, \$400,000 in

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<sup>44</sup>Executive Documents, Vol. I, No. 31, p. 99. Prioleau introduced Bulloch to Fawcett, Preston and Company, who fitted out the Florida. Ibid.

<sup>45</sup>J. D. Bulloch to S. R. Mallory, August 13, 1861, ORN, Ser. II, Vol. II, 83.

<sup>46</sup>Ibid.

bills of exchange on London, and a letter of credit on the bank of Liverpool for \$200,000.<sup>47</sup>

Bulloch also found himself confronted with problems other than finances. On August 13 he reported to Mallory that after careful inspection of many vessels in England he failed to find a single wooden steamer fit for war purposes. The iron ships were "too thin in the plates and, light in the deck frames and stanchions to carry guns of much weight."<sup>48</sup> Therefore, Bulloch signed a contract with two eminent builders to construct vessels for the Confederacy. However, they would not start construction until Bulloch had procured the necessary funds. Meanwhile, the builders did agree upon plans and estimates with Bulloch while they were waiting for the funds. By July 27 Bulloch had the proper amount of money, and the contracts were completed.<sup>49</sup> The money sent to Bulloch was only about one-third of the sum required to fill the contracts; but, the builder of the first ship, assured by Fraser, Trenholm and Company that they would be responsible for the first payments, began work before the funds arrived.<sup>50</sup> The second ship, however, could

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<sup>47</sup>Ibid.

<sup>48</sup>Ibid., p. 84.

<sup>49</sup>Ibid.

<sup>50</sup>Ibid., p. 85.



not be started until the money was ready.<sup>51</sup> Bulloch also purchased guns, shells, and clothing, but he reserved \$40,000 to buy a fast steamer in case such a vessel was necessary for future Confederate strategy.<sup>52</sup> On September 26 Mallory informed Bulloch he was sending him \$100,000 through the house of Fraser, Trenholm and Company, but the Confederate agent was not to receive this money until October.<sup>53</sup>

Along with his money problems Bulloch faced the problem of working with other Confederate purchasing agents. Much fighting and jealousy existed, with little overall coordination.<sup>54</sup> They competed for available funds and went their separate ways in negotiating contracts and financing their purchases.<sup>55</sup> Bulloch felt they needed a head man; too often one agent was paying cash for a ship in one yard and payments were overdue for a ship in the adjoining yard.<sup>56</sup> Besides these agents

<sup>51</sup>Ibid.

<sup>52</sup>Ibid., p. 86.

<sup>53</sup>Ibid., p. 95.

<sup>54</sup>Virginia Bulloch Willis, "James Dunwoody Bulloch," Sewanee Review, XXXIV (October, 1926), 390.

<sup>55</sup>Charles S. Davis, Colin J. Mc Rae, Financial Agent for the Confederacy (Tuscaloosa, Alabama: Confederate Publishing Company, 1961), p. 49.

<sup>56</sup>Ibid., p. 50. It was not until September 15, 1863, that Bulloch's advice was followed and a man by the name of Colin J. Mc Rae was appointed chief financial agent in

commissioned by the Confederate Government, there were other groups of agents from the different Southern States; consequently, the actions of all these agents caused confusion and conflicts.<sup>57</sup>

By the fall of 1862 the supply of specie, letters of credit, and bills of exchange placed in Europe for Confederate agents was near exhaustion.<sup>58</sup> As of March 7, 1862, \$1,261,000 had been shipped to Fraser, Trenholm and Company and deposited to the account of the Confederate Government.<sup>59</sup>

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Europe. He was to be the sole depository, except for some money placed on deposit with Fraser, Trenholm and Company, and he would dispense all funds for both War and Navy Departments. He also was to handle any cotton certificates, bonds, or other security redemption. Ibid., p. 50. McRae, for all practical purposes, replaced James Spence, who was appointed financial agent for the Confederacy in Liverpool on August 18, 1862. Richard Cecil Todd, Confederate Finances (Athens, Georgia: University of Georgia Press, 1954), p. 177. Along with Spence, McRae, Bulloch, and Huse there was an Edward C. Anderson. Mr. Anderson had been sent to Europe in May by Secretary of War, N. S. Walker, to purchase supplies of all types. He was to cooperate with Huse but had authority over him. He returned to the South in September satisfied with Huse's arrangements. Frank E. Vandiver (ed.), Confederate Blockade Running Through Bermuda 1861-1865. Letters and Cargo Manifests (Austin, Texas: University of Texas Press, 1947), p. xii.

<sup>57</sup>Stern, Guns Roared, p. 167.

<sup>58</sup>Todd, Confederate Finances, p. 179.

<sup>59</sup>Ibid., p. 178-79.

The shortage of foreign exchange caused the Confederate authorities to use cotton as a basis for establishing foreign credit.<sup>60</sup> The Government started acquiring cotton and offered this as security for the various types of cotton certificates and bonds sent to Europe. On September 20, 1862, Major James B. Ferguson was sent to Liverpool with \$1,000,000 of 8% bonds to sell and try to raise money for buying ships.<sup>61</sup> This money was part of the \$5,000,000 Spence had been authorized to sell earlier. Receipts from these two men were to be applied to Navy contracts made by Captains Bulloch and James H. North--Confederate Naval agent in charge of shipbuilding in Scotland.<sup>62</sup>

Cotton certificates were also sold in Europe. The main type preferred by the first Confederate Secretary of the Treasury, Charles G. Memminger, was one that called for a certain number of bales of cotton with a stipulated price per pound. The cotton was deliverable at certain ports at the option of the holder.<sup>63</sup> "The certificates were demandable only after peace, and within six months thereafter. . . ."<sup>64</sup> If the holder of the certificate

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<sup>60</sup>Ibid., p. 179.

<sup>61</sup>Ibid., p. 180.

<sup>62</sup>Ibid.

<sup>63</sup>Ibid.

<sup>64</sup>Ibid.

wanted his cotton earlier, he could get it by trying to run the blockade, paying a premium, and paying transportation costs to certain Confederate ports where he could pick it up.

By December, 1862, Bulloch was growing restless due to a lack of sufficient funds. The Confederate Government at this time was attempting to negotiate a foreign loan with a French banking concern, and Bulloch hoped this Erlanger loan would supply him with the money he so desperately needed.<sup>65</sup>

Huse spent approximately \$6,000,000<sup>66</sup> in Europe, and by December, 1864, Fraser, Trenholm and Company listed outstanding drafts by other agents totaling approximately

<sup>65</sup>At the urging of Slidell, the Richmond authorities on January 29, 1863, accepted the offer of the French banking house of Emile Erlanger and Company to float a \$5,000,000 issue of foreign bonds, bearing 8 percent interest. Bondholders were offered an option of two methods of redemption: first, in New Orleans middling cotton at the rate of six pence a pound at the end of the war; and, second, upon demand before hostilities ended in cotton to be delivered at certain points within the South. Davis, Mc Rae, p. 40. Due to discounts, interest, and commissions the Confederate Government only realized a net profit of around £ 1,283,930. John C. Schwab, The Confederate States of America. 1861-1865: A Financial and Industrial History (New York: Charles Scribner's Sons, 1901), p. 42.

<sup>66</sup>Memo J. Gorgas to J. A. Seddon, February 3, 1863, in War of the Rebellion: Official Records of the Union and Confederate Armies (130 vols.; Washington D.C.: Government Printing Office, 1880-1901), Ser. IV, Vol. II, 382-84. (Cited hereafter as ORA.)

\$2,500,000.<sup>67</sup> Available figures indicate that Bulloch spent at least \$2,500,000.<sup>68</sup> Congress once appropriated \$10,000,000 for the Navy Department, but it was one thing to vote credit, and another to make it available.

Bulloch's financial woes were further complicated by British laws. Bulloch was to discover that once he had sufficient financial sources to contract for English-built vessels he would encounter an even more formidable task of evading maritime laws established by Great Britain.

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<sup>67</sup>Todd, Confederate Finances, p. 46.

<sup>68</sup>C. J. Mc Rae to J. A. Seddon, July 4, 1864, ORA, Ser. IV, Vol. III, 525-29.

## CHAPTER II

### BRITISH FOREIGN ENLISTMENT ACT--1819

Financial problems plagued Bulloch throughout his stay in England, but an equally perplexing obstacle was provided by the British Foreign Enlistment Act.<sup>1</sup> This act was introduced by George Canning<sup>2</sup> and became a law in 1819; it was founded on a similar act passed by the United States in 1818.<sup>3</sup> During the period of reaction following the close of the Napoleonic Wars, Great Britain was allied with Spain. She had helped Spain become liberated from Napoleon's armies and had signed a treaty with her former Iberian enemy. One provision of the treaty prohibited English subjects from furnishing actual ammunition or any other warlike article to

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<sup>1</sup>An excerpt of the British Foreign Enlistment Act is recorded in Appendix A on page 122.

<sup>2</sup>George Canning (1770-1827) was British Under-Secretary for Foreign Affairs from 1796 to 1799 and Foreign Secretary from 1807 to 1809. Sir Llewellyn Woodward, The Age of Reform, Vol. XIII of The Oxford History of England, ed. Sir George Clark (14 vols.; London: Oxford University Press, 1962), p. 55.

<sup>3</sup>Executive Documents, Vol. I, No. 31, pp. 47-48.

revolutionists in American colonies held by Spain.<sup>4</sup> English interests made enforcement of the treaty unlikely as England had warehouses full of unsold goods and thousands of discharged soldiers after the war. The soldiers knew no other professions; consequently, the promise to Spain was completely ignored. Ships of war and transports filled with supplies were fitted out in British ports by English subjects who were sympathetic with the Latin Americans struggling for independence. As many as ten thousand former British soldiers, acting independently, were serving in the American colonies held by Spain in 1819.<sup>5</sup> England had statutes prohibiting service by its subjects in the armies of other established powers, and Spain protested against this interference. But these protests were to no avail because no mention was made in the statute about enlistment in revolutionary causes.<sup>6</sup>

Until the shipbuilding activity of the Confederacy in England, no serious attempt had been made to interpret the British Foreign Enlistment Act.<sup>7</sup> Richard Cobden, a

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<sup>4</sup>Wilbur Devereux Jones, The Confederate Rams at Birkenhead: A Chapter in Anglo-American Relations (Tuscaloosa, Alabama: Confederate Publishing Company, 1961), p. 16.

<sup>5</sup>Ibid.

<sup>6</sup>Ibid., pp. 16-17.

<sup>7</sup>Ibid.

member of the House of Commons, felt Lord John Russell, Secretary of Foreign Affairs, was wrong in requiring United States agents in England to collect evidence to prove that the Confederacy was violating the British Foreign Enlistment Act.<sup>8</sup> He even went so far as to suggest that the act be amended to make it illegal for individual shipbuilders to "build" ships for foreign governments. In September of 1863 Russell gave this interpretation of the Foreign Enlistment Act:

The boundary between building a vessel as an article of merchandise to be sold to a belligerent, and building a vessel with intent that she should be employed in the service of a known belligerent, making war on a state not at war with the Queen, is difficult of definition . . . . No such particulars are stated (in the Foreign Enlistment Act) in the case of vessels of war; but the general spirit of English law requires the proof of facts and circumstances upon which a prosecution or action is founded.<sup>9</sup>

By October Russell was in a state of perplexity over the Enlistment Act. He decided that an appeal for mediation to the participants in the war might be a substitute for

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<sup>8</sup>Great Britain, 3 Hansard's Parliamentary Debates, CLXXII (1862), 1254. (Cited hereafter as Hansard). Richard Cobden (1804-1865) was a small farmer who became a businessman and took part in Manchester municipal politics. He was offered the presidency of the board of trade by Palmerston in 1859. He was pro-United States and he was against the building of Confederate ships in English ports. Woodward, The Age of Reform, XIII, 120.

<sup>9</sup>Ibid., pp. 125-26.



amending the act.<sup>10</sup> Prime Minister Palmerston felt Russell's warning to persons violating the act would only apply to English subjects. He did not think that the de facto Confederate Government, which ordered the ships and supplies, came under their jurisdiction.<sup>11</sup> The editors of the Times saw the act as a domestic law intended to protect England, and no other interpretation of it could give cause of grievance to any foreign country.<sup>12</sup> The Times editorialized that the Enlistment Act did not forbid selling unarmed ships, that these vessels were on a legal par with arms and gunpowder, and were subject to seizure if caught three miles from a neutral port by the United States. Possibly the Enlistment Act was inadequate and did favor a weak naval power, but it was still the law.<sup>13</sup> The Times influenced and reflected opinions of the educated class and, to some degree, official government opinions.<sup>14</sup> Palmerston said that an oath of confirmation stating good evidence was needed in order to seize a ship, and that the Union Government had no call for complaint against Britain

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<sup>10</sup>Jones, Confederate Rams, pp. 80-81.

<sup>11</sup>Ibid., p. 87.

<sup>12</sup>The Times (London), July 24, 1863, p. 9.

<sup>13</sup>Ibid.

<sup>14</sup>Ephraim Douglas Adams, Great Britain and the American Civil War (2 vols.; London: Longmans, Green and Company, 1925), I, 91-92.

for her enforcement of the Enlistment Act.<sup>15</sup> If the United States officials felt there was a violation of the Enlistment Act, they could appeal to Russell who would in turn ask for an investigation by the Board of Customs. The Board of Customs would ask the local customs officials to investigate, and the information gathered would eventually filter back to the Law Officers of the Crown, who would make the final decision relative to prosecution of possible offenders. The decision reached by the Law Officers of the Crown was then relayed to Russell, and Lord Russell informed Charles Francis Adams, the American Ambassador to Great Britain, as to what action would be taken.<sup>16</sup>

The British Government interpreted the act to mean that proof of illegal activity was needed prior to seizure of any British-built ship.<sup>17</sup> After March 27, 1863, the British Government was determined to seize any ships that were apparently intended for use by the Confederate Navy.<sup>18</sup> This sudden change in British policy seems to have been

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<sup>15</sup>Hansard, CLXX (1863), 91-92.

<sup>16</sup>Douglas H. Maynard, "Union Efforts to Prevent the Escape of the Alabama," The Mississippi Valley Historical Review, LXI (June, 1954), 48.

<sup>17</sup>Martin B. Duberman, Charles Francis Adams, 1807-1886 (Boston: Houghton Mifflin Company, 1961), p. 301.

<sup>18</sup>Jones, Confederate Rams, p. 52.

greatly influenced by action of the Congress of the United States which resulted in passage of the "privateering bill,"<sup>19</sup> This bill was introduced in Congress in July of 1862, and authorized the President to issue letters of marque and privateering. Seward said the purpose of the proposed measure was to permit privateers to seek for and capture the Alabama or other vessels of a similar type. Seward saw this as an attempt to organize a militia of the sea.<sup>20</sup> Russell apparently felt that if the Confederates were successful in breaking the United States blockade, a flood of these Northern privateers might still render effective the closing of the Southern ports. This blockade was an important weapon in the United States' war program.<sup>21</sup>

Charles F. Adams felt that by January, 1864, there was a growing conviction in England that the Southern rebels and Confederate sympathizers should be checked. He was informed that the British Government was contemplating prosecution against certain shipping firms at Liverpool and principal officers of the dockyard at

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<sup>19</sup>E. D. Adams, Great Britain and American Civil War, II, 137-38.

<sup>20</sup>Ibid., pp. 122-23.

<sup>21</sup>Ibid., pp. 137-38.

Sheerness for the violation of the Enlistment Act.<sup>22</sup> In a note to one of his friends on January 14, 1864, Bulloch seemed to agree with Adams' observations and said:

This result has not surprised me, for the indiscreet manner in which men have been engaged and sent about has been freely commented upon, and in anticipation of trouble I have kept entirely clear of the parties engaged in these movements. Thus action of the authorities absolutely closes England to you as a recruiting ground, unless you in person make an arrangement with someone in France to deliver you men at so much a head. That is the manner in which I managed in the crew of the Alabama, and thus did not come in contact with any of the men until they were actually on board ship, and were beyond the jurisdiction of England. For any Confederate States officer to attempt engaging men here now would insure his getting into trouble, besides ending in failure; because I am sure that agents of the Yankee consul would offer their services with the express intent of lodging information.<sup>23</sup>

#### The Queen's Proclamation

Captain Bulloch was given a preview of what to expect from the British Enlistment Act when the Proclamation of Neutrality was issued by Queen Victoria on May 13, 1861.<sup>24</sup> This proclamation was partly the result of pressure by pro-United States members in Parliament. Prior to the

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<sup>22</sup>U.S. Congress, Senate, Correspondence Concerning Claims Against Great Britain, 41st Cong., 1st Sess., 1869, Executive Documents Vol. II, No. 11, pp. 464-65 (Cited hereafter as Executive Documents, Vol. II, No. 11).

<sup>23</sup>Ibid., p. 472.

<sup>24</sup>For a copy of the Proclamation of Neutrality see Appendix B on page 124.

printing of the Proclamation there was a continual barrage of questions from Englishmen who were pro-United States as to how the government would treat shipbuilding in English ports if construction were attempted.<sup>25</sup> Three months after the Proclamation was published, Bulloch wrote to Mallory and informed him that this Proclamation was almost an exclusive barrier against shipments to the Confederacy:

English shipowners, partly from dread of the consequences and partly from loyalty, very generally decline taking anything contraband of war as freight, and to induce any person to engage in furnishing or forwarding supplies for the Confederate States, requires so much secret negotiation and the employment of so many middle men, that the very maneuvering necessary to complete an arrangement seems to excite and direct suspicion.<sup>26</sup>

Similar declarations of neutrality were made by France, Belgium, the Netherlands, Spain, Russia, Prussia, and Portugal.<sup>27</sup> All proclamations claimed impartial neutrality and were supplemented from time to time by orders and regulations from the Admiralty of each of the respective countries. These orders defined the conditions which would allow the ships of the United

<sup>25</sup>E. D. Adams, Great Britain and American Civil War, I, 94.

<sup>26</sup>J. D. Bulloch to S. R. Mallory, August 13, 1861, ORN, Ser. II, Vol. II, 84.

<sup>27</sup>Bernard, Historical Account of Neutrality, p. 134.

States and the Confederacy to take refuge in neutral ports-- to make repairs and to get supplies.<sup>28</sup> Bulloch gave the following as the chief restrictions specified in those orders:

. . . that no ship should reinforce her crew or make greater alterations and repairs than were necessary to ensure her safety; that the armament should not be changed or increased, and that no ordnance or other description of stores classed as "contraband of war" should be taken on board; that the quantity of coal to be taken should be no more than enough to carry her to the nearest port of her own country, and after receiving that quantity she should not enter any harbour of the same neutral power for another supply until the expiration of three months, except by special permission.<sup>29</sup>

In the Queen's Proclamation of Neutrality she made an attempt to apply the British Foreign Enlistment Act to the American crisis.<sup>30</sup> Ephraim D. Adams, Professor of History at Stanford University, explained that in form and substance the Proclamation of Neutrality did not differ from previous proclamations issued by other countries in similar situations:

It spoke of the Confederacy as "states styling themselves the Confederate States of America," prohibited to Englishmen enlistment on either side, or efforts to enlist others, or equipment of ships of war, or delivery of commissions to such ships. War vessels being equipped in

<sup>28</sup>Bulloch, I, 54.

<sup>29</sup>Ibid.

<sup>30</sup>E. D. Adams, Great Britain and American Civil War, I, 94-95.

British ports would be seized and forfeited to the British Government. If a belligerent war-ship came into a British port, no change or increase of equipment was to be permitted. If a subject violated the Proclamation he was both punishable in British Courts and forfeited any claim to British protection.<sup>31</sup>

Parliamentary discussion later defined more clearly the application of the Proclamation. The belligerency of the de facto Confederate Government was recognized, but de jure recognition of the Confederate States of America was not granted. England also recognized the right of the Confederacy to send out privateers, and the official British government refused to grant the United States legal right to treat the crews of such vessels as pirates. British subjects, however, were warned that they would forfeit the claim to government protection if they engaged to serve on a Confederate privateer. The British Government further maintained that respect for the blockade of the Confederacy would be conditioned by its effectiveness, "at least to the point where a vessel attempting to pass through was likely to be captured."<sup>32</sup> On June 1, 1861, the Proclamation was followed by Admiralty orders "interdicting the armed ships and privateers of both belligerents from carrying prizes made by them into the ports, harbours,

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<sup>31</sup>Ibid.

<sup>32</sup>Ibid., p. 95.

roadsteads, or waters of the United Kingdom, or of any of Her Majesty's Colonies or possessions abroad."<sup>33</sup>

The United States interpreted the Queen's Proclamation as an unfriendly gesture. Charles Francis Adams, United States Minister to England, wrote Secretary of State, William H. Seward, that the action taken by England was a little more rapid than was actually called for by the occasion. Adams felt a little more time might have been taken to form a more complete estimate of the relative force of the contending Powers and of the probability of any issue of long duration. The Proclamation had a tendency to present the Confederate Government to the world as one of form and substance. Adams contended that the Proclamation recognized the belligerency of the Confederacy before the States had ever illustrated their capacity to maintain any kind of warfare except within one of their own harbors and under every possible advantage. Adams was convinced that the Proclamation had considered the Confederacy a maritime power before it had ever exhibited a single privateer upon the ocean.<sup>34</sup>

The English Proclamation of Neutrality was a concession to the Confederate Government and a blow to the

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<sup>33</sup>Bernard, Historical Account of Neutrality, p. 133.

<sup>34</sup>Owsley, King Cotton, pp. 59-60.



United States in that it recognized the Southern States as belligerents.<sup>35</sup> But, the restrictions imposed upon the cruisers of both the Confederacy and the United States through parliamentary interpretation and additional orders, were clearly more burdensome and perplexing to the Confederacy than to the United States.<sup>36</sup>

The United States had dockyards on the Atlantic coast and home ports open to their ships for shelter, repair, and supply. Their diplomatic agents were in all parts of the world to receive appeals in case of unfair treatment. The United States had credit and financial backing the world over, and each cruising ship could be furnished with ample funds through recognized bankers.<sup>37</sup> Confederate cruisers had none of these advantages. As the blockade increased in effectiveness, the cruising vessels were deprived of safe entrance into home ports. In the ports of France and England Confederate cruisers could depend upon uniform and consistent treatment, but in ports of other countries their treatment depended upon individual sympathies and the opinions of local authorities.<sup>38</sup>

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<sup>35</sup>Ibid., pp. 58-59.

<sup>36</sup>Bulloch, I, 55.

<sup>37</sup>Ibid.

<sup>38</sup>Ibid., p. 56.

### F. S. Hull--Legal Advisor

There were, however, basic weaknesses in the British Foreign Enlistment Act, and as an aid in detecting these, Bulloch hired F. S. Hull, a lawyer in Liverpool, who continued as Bulloch's legal advisor throughout the war.<sup>39</sup> Bulloch described Hull as, "a prudent, cautious, conscientious advisor," and said that "throughout all those troublous [sic] times he found him a watchful and safe mentor . . . , " who was informed of all important transactions and was consulted in regard to all contracts.<sup>41</sup>

In most cases Hull was competent to deal independently with the legal problems as they arose. But when Bulloch began his work in England "no case involving the forfeiture of a ship had even been brought to trial under the Foreign Enlistment Act," and hence there were no precedents to guide Hull.<sup>42</sup> Bulloch commented on this problem:

If the Act prohibited the building of a ship for a belligerent under all circumstances, and imposed upon the builder the onus of proving that there was no intent to arm her beyond British jurisdiction, it was important to know it, because if that was the law, merely concealing the ultimate purpose

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<sup>39</sup>Ibid., pp. 55-56.

<sup>40</sup>Ibid., pp. 65-66.

<sup>41</sup>Ibid.

<sup>42</sup>Ibid., p. 66.

from the builder would not protect the property from seizure and forfeiture.<sup>43</sup>

In determining the answer to this question, Hull sought the consultation of his peers in the legal profession. He drew up a general proposition in order to secure a reply wholly without bias and submitted it to two barristers. The answer of the barristers "embraced a full exposition of the Act in its bearings upon the question of building and equipping of ships in Her Majesty's dominions."<sup>44</sup> The interpretation which Hull drew from the investigation was summed up as follows:

1. It is no offence under the Act for British subjects to equip, etc., a ship at some country without her Majesty's dominions, though the intent be to cruise against a friendly State.

2. It is no offence for any person (subject or no subject) to equip a ship within her Majesty's dominions, if it be not done with the intent to cruise against a friendly State.

3. The mere building of a ship within her Majesty's dominions by any person (subject or not subject) is no offence, whatever may be the intent of the parties, because the offence is not the building but the equipping.<sup>45</sup>

This act, therefore, placed no penalty on shipbuilder or ship, provided the vessel was not equipped for war.<sup>46</sup>

<sup>43</sup>Ibid.

<sup>44</sup>Ibid., p. 67.

<sup>45</sup>Ibid.

<sup>46</sup>E. D. Adams, Great Britain and American Civil War, II, 116-17.

Bulloch maintained that in organizing a Confederate Naval force abroad, the operations "were carried on with strict regard to local law."<sup>47</sup> The legal brief as furnished by Hull disclosed the manner in which this might be done. As interpreted by Hull, all that was necessary in order to keep within the letter of the law was to secure the separate parts of an expedition and have them assembled at some distant rendezvous beyond the British dominions. Bulloch made the arrangements to follow Hull's advice which meant a great deal of secrecy and caution in completing contracts for the construction of the ships. Each part was supplied by a different business interest. Supplies for the ship such as guns, had to be put aboard one ship and then transferred to the warship at some hidden or neutral place. All of this was made necessary because of the Foreign Enlistment Act. Violation of this act could mean forfeiture of the property and arrest of the persons involved.<sup>48</sup>

#### Federal Surveillance

While Bulloch and his Confederate ships seemed assured of more consistent treatment in French and English ports, he was becoming more and more aware of the fact that his

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<sup>47</sup>Bulloch, I, 54.

<sup>48</sup>Rodimon, Florida, p. 8.

activities in England were watched very closely by Federal agents.<sup>49</sup> Almost simultaneously upon his arrival in England, Bulloch found that his instructions were accurately recorded in a New York newspaper. "Since that time," Bulloch wrote Mallory, "all persons supposed to be in the service of the Confederate States are strictly and closely watched."<sup>50</sup> The United States was well informed of many of Bulloch's movements. The American consulate at London, Freeman H. Morse, knew that Bulloch had left the South on the Annie Childs and that he was going to Great Britain to purchase ships. He informed United States Secretary of the Navy, Gideon Welles, of Bulloch's arrival in London. Morse seems to have received his information from some of the crew members who sailed on the Annie Childs.<sup>51</sup> On August 1, 1861, Seward wrote Adams that he believed Bulloch was in England and had contracted for iron steamers and gunboats valued at \$750,000.<sup>52</sup>

While Bulloch was outfitting the Florida, United States diplomatic officials were endeavoring to persuade

<sup>49</sup>Bulloch, I, 56.

<sup>50</sup>J. D. Bulloch to S. R. Mallory, August 13, 1861, ORN, Ser. II, Vol. II, 84.

<sup>51</sup>F. H. Morse to G. Welles, April 10, 1862, ORN, Ser. I, Vol. VII, 217.

<sup>52</sup>Executive Documents, Vol. I, No. 11, p. 518.

the British Government to seize the vessel. Thomas H. Dudley, United States Consulate at Liverpool, watched the ship closely.<sup>53</sup> There were scores of American detectives in every dockyard, gun factory, and armory in England.<sup>54</sup> Representatives of the Federal Government took an intense interest in Bulloch's work from the moment that they learned of his mission. They had kept him under constant observation, which made his work extremely difficult. Anyone who had communicated with Bulloch in any capacity was also placed under suspicion and watched.<sup>55</sup>

As a result of the complaints of the American Government, England kept a close watch over Bulloch's ships.<sup>56</sup> Bulloch reported to Mallory in April of 1862 that the British authorities, along with the American detectives, were so vigilant that ships built in England could not be armed there.<sup>57</sup> Captain Bulloch complained constantly to Mallory of the American detectives and British custom

<sup>53</sup>William P. Roberts, "James Dunwoody Bulloch and the Confederate Navy," The North Carolina Historical Review, XXIV (July, 1947), 354.

<sup>54</sup>Owsley, King Cotton, p. 396.

<sup>55</sup>Courtney, Confederate Research Review, No. 2, p. 1.

<sup>56</sup>Owsley, King Cotton, p. 396.

<sup>57</sup>J. D. Bulloch to S. R. Mallory, April 11, 1862, ORN, Ser. II, Vol. II, 183-84.

officers whose vigilance seemed to be increasing in anticipation of the possible launching of the Alabama.<sup>58</sup> Charles F. Adams and his underground intelligence forces worked through Dudley. They tried to pile up evidence and present it to the Law Officers of the Crown, who had duties similar to those of the present-day United States Attorney General.<sup>59</sup>

Nemesis seemed to be an appropriate title for Thomas H. Dudley. He was a New Jersey attorney who was rewarded with an overseas post for his role in the 1860 Chicago Republican Convention that nominated Lincoln for President.<sup>60</sup> He had "the aggressiveness of a terrier and the tenacity of a bulldog . . . ."<sup>61</sup> Most of the Liverpool consulate's business had to do with ships and the sea. This suited Dudley as he became interested early in his life in protecting the rights of American sailors. He was honest and had ability which impressed a superior, who recommended Dudley for the job as Consulate at Liverpool.<sup>62</sup> Through

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<sup>58</sup>J. D. Bulloch to S. R. Mallory, July 4, 1862, Ibid., p. 212.

<sup>59</sup>Owsley, King Cotton, p. 399.

<sup>60</sup>Stern, Guns Roared, p. 102.

<sup>61</sup>Ibid.

<sup>62</sup>Ibid., p. 104.

Dudley's efforts, Adams was able to win a diplomatic contest against some of Britain's shrewdest statesmen.<sup>63</sup>

While Dudley was active in England, Henry S. Sanford, United States Minister Resident at Belgium, was active throughout Europe. Benjamin Moran, Secretary of the United States Legation in London, accused Sanford of trying to establish a spy system throughout Europe.<sup>64</sup> Despite Moran's misgivings, Sanford proved to be a very resourceful man for the United States by the end of the war.<sup>65</sup> Sanford called Bulloch the most dangerous man the Confederacy had in Europe. He said that Bulloch was a very capable man and that the United States paid £150 a month to agents who kept him under surveillance.<sup>66</sup> Charles F. Adams added that Bulloch was by far the most efficient agent the Confederacy sent to England.<sup>67</sup> Men keeping watch over Bulloch even went so far as to pay postmen £1 per week to tell them daily the names of the towns on the postmarks and the dates of the letters

<sup>63</sup>Ibid.

<sup>64</sup>Sarah Agnes Wallace and Francis Elma Gillespie (eds.), The Journal of Benjamin Moran; 1857-1865 (2 vols.; Chicago: University of Chicago Press, 1949), II, 883.

<sup>65</sup>Harriet C. Owsley, "Henry Shelton Sanford and Federal Surveillance Abroad 1861-1865," Mississippi Valley Historical Review, XLVIII (September, 1961), 226.

<sup>66</sup>Ibid., p. 214.

<sup>67</sup>Ibid.



received by Bulloch.<sup>68</sup> Sanford planted men in every line of business that Bulloch might deal with in order to obtain information. He even bribed officials and tampered with telegraph messages Bulloch received. Sanford was not always successful in soliciting the British officials' help to curtail Bulloch's activities. He was hampered by the refusal of the government officials to take a definite stand on enforcement of the British Foreign Enlistment Act.

#### The Precarious Position of the British Government

In June, 1859, a short-lived Conservative Government under the leadership of Lord Derby had been replaced by a coalition government led by Liberals. Lord Palmerston was Prime Minister and Lord John Russell was Foreign Secretary. Both men represented wings of the Whig-Liberal Party. William E. Gladstone, a former Tory, decided to accept Palmerston's offer and joined the Ministry as Chancellor of the Exchequer.<sup>69</sup> Leading a coalition government meant being very cautious and trying to avert strong stands that might upset some influential faction.

In 1861 Palmerston was seventy-seven years old and seemed content to devote his energies to details of political management. His primary ambition was to stay

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<sup>68</sup>Ibid.

<sup>69</sup>E. D. Adams, Great Britain and the American Civil War, I, 76.

in office and not to take vigorous stands that would endanger his position.<sup>70</sup> Palmerston thought that the Union would not survive, but he was not willing to jeopardize his political career by recognizing an independent Confederacy.<sup>71</sup> On October 6, 1861, Palmerston stated that England could not sit by and watch millions of people perish because of the United States blockade. The blockade meant cotton from the Confederacy could not reach English ports, and if there were no cotton, then many English workingmen would have no jobs at the manufacturing plants.<sup>72</sup> Yet, he was not advocating interference because on October 18, 1861, he replied to Russell's note of October 17 by saying:

As to North America, our best and true policy seems to be to go on as we have begun, and to keep quite clear of the conflict between North and South . . . . The only excuse would be the danger to the intervening parties if the conflict went on; but in the American case this can not be pleaded by the Powers of Europe. I quite agree with you that the want of cotton would not justify such a proceeding, unless, indeed, the distress created by that want was far more serious than it is likely to be. The probability is that some cotton will find its way to us from America, and that we shall get a greater supply than usual from other quarters.<sup>73</sup>

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<sup>70</sup>Ibid., pp. 76-77.

<sup>71</sup>Herbert Clifford Francis Bell, Life of Palmerston (2 vols.; London: Longmans, Green and Company, 1936), II, 275.

<sup>72</sup>Ibid., p. 293.

<sup>73</sup>E. D. Adams, Great Britain and the American Civil War, I, 199-200.

In the latter part of 1861 Palmerston again made a statement to the effect that neither cotton nor anything else was worth intervention on the part of Great Britain.<sup>74</sup>

The key to the door of understanding Palmerston's policy seemed to be the progress of the Confederate Army. Late in the war Palmerston told James M. Mason, the new envoy to Great Britain, that at no time did the British Government think complete independence had been achieved by the Confederacy. England was not going to recognize an independent South that might be non-existent in a few weeks due to a reversal in the field.<sup>75</sup> After important Federal military defeats, Palmerston and Russell were inclined to believe British intervention

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<sup>74</sup>Evelyn M. P. Ashley, Life and Correspondence of Henry John Temple Viscount Palmerston (2 vols.; London: Richard Bentley and Sons, 1879), II, 411.

<sup>75</sup>James Daniel Richardson (ed.), A Compilation of the Messages and Papers of the Presidents (20 vols.; New York: Bureau of National Literature Inc., 1897-1914), II, 714. On August 24, 1861, Robert M. T. Hunter, who had replaced Robert Toombs as the Confederate Secretary of State, notified Ambrose D. Mann and Pierre A. Rost that they were to proceed to Spain. On September 23 he changed the instructions and sent Mann to Belgium. He also accepted Yancey's resignation and told the three men of Mason's appointment. On August 4, 1863, Mason was ordered by newly appointed Secretary of State, Judah P. Benjamin, to leave England. Benjamin was appointed to Davis' Cabinet in the Spring of 1862. Stern, Guns Roared, pp. 86, 132, 219.

was warranted. However, Prince Albert and his wife Queen Victoria influenced their final decision not to intervene.<sup>76</sup>

The British Government's policy concerning the American conflict seemed to vacillate as the fortunes of war changed. After the crushing defeat of the United States in the Second Battle of Bull Run on August 30, 1862, Palmerston suggested to Russell that the time had come for a proposal of mediation. But Lee was stopped at Antietam by Mc Clellan on September 17, 1862, and the British Cabinet voted against Russell's plan for mediation.<sup>77</sup> Russell and Palmerston's position was probably best summed up by Russell's statement on May 2, 1861, when he stated:

Nothing but the imperative duty of protecting British interests in case they should be attacked justified the Government in at all interfering. We have not been involved in any way in that contest by act or giving any advice in the matter, and, for God's sake, let us if possible keep out of it.<sup>78</sup>

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<sup>76</sup>Stern, Guns Roared, p. 24. Prince Albert and Queen Victoria had seen slavery abolished and other improvements made in English society. They could not bring themselves to support the Confederacy that advocated some of the very evils England had just destroyed. They realized intervention would draw the wrath of the United States and they did not wish to see Great Britain and the United States at war. Ibid., pp. 24-27.

<sup>77</sup>Alexander De Conde, A History of American Foreign Policy (New York: Charles Scribner's Sons, 1963), p. 231.

<sup>78</sup>Hansard, CXLII (1961), 1378-79.

On June 1, 1862, Russell again expressed his views saying:

Her Majesty's Government are, as you are aware, desirous of observing the strictest neutrality in the contest which appears to be imminent between the United States and the so-styled Confederate States of North America; and with the view more effectually to carry out this principle they propose to interdict the armed ships, and also the privateers, of both parties, from carrying prizes made by them into the ports, harbours, roadsteads, or waters of the United Kingdom, or of any of Her Majesty's Colonies or possessions abroad.<sup>79</sup>

It appears doubtful that sympathy for the Confederacy was a dominant force in the British Government. Any attempt by Palmerston or Russell to interfere in the American conflict probably would have brought ruin to their political careers.<sup>80</sup> Several times during the first three years of the war, attempts were made to obtain from Parliament some expression of opinion favorable to the recognition of the Confederacy. Yet, not one of these attempts was encouraged by any man of political influence. All these overtures for recognition were withdrawn or voted down.<sup>81</sup> In 1863 Russell said:

. . . that, if this war is to cease, it is far better that it should cease by a conviction both on the part of the North and on that of the South that they can ever live together again happily as one community and as one Republic, and that the

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<sup>79</sup>Bernard, Historical Account of Neutrality, p. 136.

<sup>80</sup>Ibid., p. 467.

<sup>81</sup>Ibid.

termination of hostilities can never be brought about by the advice, the mediation, or the interference of any European Power.<sup>82</sup>

Although the British Government seemed determined to stay out of the American Civil War, they were not going to allow Bulloch's shipbuilding activities to proceed unhindered.<sup>83</sup>

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<sup>82</sup>Ibid., p. 468.

<sup>83</sup>De Conde, American Foreign Policy, p. 259. Being a seafaring nation the British Government recognized the possible future problems for Great Britain if they agreed to back the Confederate Government's claim that it was legal for belligerents to have ships built in neutral nations. Ibid.

## CHAPTER III

### BULLOCH'S INITIAL SUCCESSES

Bulloch arrived in Liverpool in 1861,<sup>1</sup> and he concurred with Fraser, Trenholm and Company that the English government would probably allow Confederate agents to obtain supplies in England with all the rights and privileges of a belligerent.<sup>2</sup>

Bulloch obtained the services of F. S. Hull to guide him through the maze of English laws. Local English laws together with Admiralty orders and the Proclamation of Neutrality made it difficult for Bulloch to outfit Confederate ships in England.<sup>3</sup> The Proclamation of Neutrality was especially an obstacle to Confederate ships as the Federal blockade limited the use of Confederate ports.<sup>4</sup>

Despite the hindrance of English laws, Bulloch was able to purchase several vessels. He even procured a fast steamer, and personally took the steamer and some war supplies to a Confederate port.<sup>5</sup>

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<sup>1</sup>Bulloch, I, 52.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid., p. 56.

<sup>4</sup>Ibid., p. 55.

<sup>5</sup>Ibid., pp. 109-110.

Fingal

Bulloch immediately bought the Fingal, a screw-steamship, that had been built on the Clyde. He described the ship as being new, and as having made only one or two trips to the North of Scotland. The Fingal cost £17,500 but was in good order at the time of purchase, and had an estimated speed of thirteen knots in good steaming weather.<sup>6</sup>

In securing the Fingal Bulloch was careful to observe the law. The ship was allowed to remain, nominally, the property of an English firm and a captain holding a Board of Trade certificate was employed to clear the ship outward.<sup>7</sup> The nominal commander was given the power of attorney to sell and transfer the ship to Bulloch at any time Bulloch wished to take charge under his purchase option.<sup>8</sup> The Fingal carried guns as cargo, which on short notice could be mounted for purposes of offense or defense. Thus protected, the vessel sailed from

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<sup>6</sup>J. D. Bulloch to S. R. Mallory, December 5, 1861, ORN, Ser. II, Vol. II, 115.

<sup>7</sup>Bulloch, I, 113. The first remittance from the Navy Department was received July 27, 1861. The funds were forwarded in the form of sterling bills and bank-credits, but the total amount was not enough to cover the orders Bulloch had made for naval stores and two ships. No additional funds came until October. There was much delay in communicating by letter and the danger of letters being captured made it hazardous to write fully and clearly upon important financial subjects. Ibid., pp. 101-108.

<sup>8</sup>Ibid., p. 121.



England on October 1, 1861, with a valuable cargo and headed for the Confederate States by way of Bermuda. On the way to Bermuda the Fingal ran low on water, and Bulloch ordered the ship off course to search for water. While searching for water, Bulloch discovered Praya Bay, which was northeast of Terceira Island in the Azores. The Azores were northeast of Bermuda, and Bulloch thought this would be an excellent place for future meetings of Confederate cruisers and their supply ships.<sup>9</sup>

A Confederate vessel, the Nashville, was at Bermuda when the Fingal arrived.<sup>10</sup> The Nashville had originally been ordered to convey the Confederate Commissioners, Messrs. James M. Mason and John Slidell, to Europe, but this plan had been abandoned.<sup>11</sup> Captain Robert B. Pegram was in command of the Nashville, and he had in his possession dispatches authorizing Bulloch to run the blockade.<sup>12</sup> Captain Pegram also furnished Bulloch with a coast pilot which probably accounted in part for the comparative ease with which the Fingal arrived at the port of Savannah on November 12, 1861.<sup>13</sup>

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<sup>9</sup>Ibid., p. 117.

<sup>10</sup>Ibid.

<sup>11</sup>Ibid., pp. 117-18.

<sup>12</sup>Ibid., p. 118.

<sup>13</sup>Ibid., p. 127.

When he arrived at Savannah, Bulloch reported to Mallory the state of affairs abroad, and they discussed the needs of the naval department and how to best correlate those needs with the policy of the Confederate Government.<sup>14</sup> Mallory decided as a first step that the Fingal should be filled with cotton, to the account of the Navy Department, and that Bulloch should return to Europe with the ship and carry out the further purposes of the Government.<sup>15</sup> Bulloch's original instructions and powers were to be revised, and the mode of furnishing funds was to be arranged by the Treasury Department.<sup>16</sup> On November 15, 1861, Bulloch wrote Mallory that the Fingal had been discharged and was in Savannah waiting to receive freight.<sup>17</sup> On November 30, 1861, Mallory ordered Bulloch to take command of the Fingal, with its load of cotton, and return to Great Britain. Once Bulloch reached Great Britain he was to transfer the command of the Fingal over to Lieutenant George T. Sinclair, whom Bulloch would receive on board at Savannah.<sup>18</sup> The Fingal,

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<sup>14</sup>Ibid., pp. 130-31.

<sup>15</sup>Ibid., p. 131.

<sup>16</sup>Ibid.

<sup>17</sup>J. D. Bulloch to S. R. Mallory, November 28, 1861, ORN, Ser. II, Vol. II, 107.

<sup>18</sup>S. R. Mallory to J. D. Bulloch, November 30, 1861, Ibid., p. 113.

however, was delayed in getting the cotton aboard. The enemy's fleet was busy in the area, and Bulloch feared they would soon know the Fingal was in Savannah.<sup>19</sup>

Finally, on December 24, 1861, the Fingal was ready for sea, but Bulloch was informed that the Federal vessels had blockaded the route of escape.<sup>20</sup> There were five ships of war blockading the Fingal and Bulloch concluded the vessel would not be able to escape. In view of the situation Bulloch felt he should leave the Fingal and seek other means of transportation.<sup>21</sup> Mallory agreed and directed Bulloch to turn the Fingal over to George T. Sinclair and proceed to England by any route open.<sup>22</sup> Bulloch conferred with John Fraser and Company and decided to take the Annie Childs, formerly the North Carolina, from Wilmington.<sup>23</sup>

Bulloch had demonstrated the ineffectiveness of the Federal blockade when he arrived in Savannah with

<sup>19</sup>J. D. Bulloch to S. R. Mallory, December 5, 1861, Ibid., p. 115.

<sup>20</sup>J. D. Bulloch to S. R. Mallory, December 24, 1861, Ibid., p. 119.

<sup>21</sup>J. D. Bulloch to S. R. Mallory, December 26, 1861, Ibid., pp. 120-21.

<sup>22</sup>Bulloch, I, 149.

<sup>23</sup>Ibid., pp. 149-150. The Annie Childs was a single engine steamer soon on its way for Liverpool. Bulloch departed February 5, 1862, and arrived in Liverpool March 10, 1862. Ibid.

the Fingal. He supplied the Confederate armed forces with much valuable equipment. "No single ship ever took into the Confederacy a cargo so entirely composed of military and naval supplies . . . ." <sup>24</sup> Before departing for the South, Bulloch had left instructions for the completion of the Florida (Oreto). When he returned he was anxious to find out the progress that had been made while he was gone.

#### Florida Alias Oreto

Upon his return Captain Bulloch found the Oreto ready for sea. The ship had made a satisfactory trial trip and was already provisioned for its voyage to Nassau. <sup>25</sup> The Florida was a wooden vessel built by Messrs. William C. Miller and Sons at their yard in Liverpool. Miller and Sons were selected to build the hull of the ship and to furnish the masts, rigging, boats, and general sea-outfit because the elder Miller had been in the Royal Navy as a shipwright. He also had served in Great Britain's dock-yards as a naval consultant, and he had much experience in the construction of wooden ships designed to carry

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<sup>24</sup> Ibid., p. 112.

<sup>25</sup> Ibid., p. 152. The Florida was also known by the names: Oreto and Manassas; likewise the Alabama was known as No. 290. It is to be understood, however, that while these ships were under construction they were known to the British and American authorities as the Oreto and 290. Ibid., p. 57.

heavy weights on deck and to berth large crews.<sup>26</sup> Miller and Sons were not engineers, and, as it was thought advisable to have the ship and the engines as near together as possible, Messrs. Fawcett, Preston and Company of Liverpool, were chosen to design and build the engines. Financial arrangements were made with Fawcett, Preston and Company exclusively. They took the complete contract for both the ship and her engines.<sup>27</sup> The total cost of the Oreto was \$45,628, which was to be paid in five installments.<sup>28</sup>

W. C. Miller had a scale drawing of one of her Majesty's gunboats which was adopted as the base from which to start. However, the Florida's midship section was enlarged and the floor flattened to get a greater carrying capacity. The increased length, thus obtained, admitted finer entrance and clearance lines, which secured higher speed. The rigging scale was also largely increased in order to get a good spread of canvas.<sup>29</sup> In his contract with Fawcett, Preston and Company, Bulloch, as a private person, said nothing of the ultimate disposal of the ship. It was incidentally mentioned among the workers

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<sup>26</sup>Ibid., p. 57.

<sup>27</sup>Ibid.

<sup>28</sup>J. D. Bulloch to S. R. Mallory, June 3, 1864, ORN, Ser. II, Vol. II, 660.

<sup>29</sup>Bulloch, I, 57-58.

that the vessel would probably be sent to a mercantile firm in Palermo, Italy, and a local representative of that firm undertook the details of supervising and despatching her.<sup>30</sup>

According to Benjamin Moran, Acting Secretary of the American Legation in London, the Oreto was for the Italian Government, and it was ordered for them by Thomas and Company of Palermo.<sup>31</sup>

In October, 1861, Bulloch drew up very particular and specific instructions with reference to the outfitting of the Oreto. He wanted to prevent any violation of the Foreign Enlistment Act of Great Britain, and to ensure that the ship, when delivered, would be prepared to fulfill the conditions essential to a sea-going steamer of her class and nothing more.<sup>32</sup> Soon after issuing these instructions Bulloch left for the Confederate States on the steamer Fingal--an experienced blockade runner.<sup>33</sup> While he was absent the work on the Oreto went ahead rapidly.

On the third of February, 1862, Fraser, Trenholm and Company informed Lieutenant James H. North, Confederate

<sup>30</sup>Ibid.

<sup>31</sup>B. Moran to H. J. Sprague, March 5, 1862, ORN, Ser. II, Vol. II, 364.

<sup>32</sup>Bulloch, I, 152.

<sup>33</sup>J. H. North to J. M. Mason, February 6, 1862, ORN, Ser. II, Vol. II, 144.

Naval Agent, that the Oreto was ready.<sup>34</sup> Fraser, Trenholm and Company informed North because Bulloch had left word that if the Florida were ready before he returned they were to notify one of the Confederate Naval Agents in England.<sup>35</sup> The Florida was not armed and North did not want to take charge of an empty ship; consequently, the Oreto was detained by North until Bulloch returned.<sup>36</sup> F. S. Hull, Bulloch's solicitor, advised Bulloch that according to the Municipal Law of Great Britain the Florida was a perfectly lawful article of traffic, and the builder could deliver the Florida, and Bulloch could pay for and receive the ship without infringement of any statute.<sup>37</sup>

Captain James Alexander Duguid, a certified master mariner, was appointed to command the ship. The crew

<sup>34</sup>Owsley, King Cotton, p. 418.

<sup>35</sup>Fraser, Trenholm and Company to J. H. North, February 5, 1862, ORN, Ser. II, Vol. II, 142-43.

<sup>36</sup>J. H. North to S. R. Mallory, March 16, 1862, The Florida was a barkrigged, two bladed screw steamer. Bulloch, I, 57-58. The Florida was 185 feet long, 28 feet 4 inches wide and 14 feet deep. J. D. Bulloch to S. R. Mallory, August 13, 1861, ORN, Ser. II, Vol. II, 85. She was equipped with two engines, two boilers and two funnels. Data concerning C.S.S. Florida, ORN, Ser. I, Vol. I, 252. There were eight port holes per side and she was fitted for eight cannons and two pivot guns. B. Moran to H. J. Sprague March 5, 1862, ORN, Ser. I, Vol. I, 364.

<sup>37</sup>Bulloch, I, 152-53.

and engineer's staff were engaged in strict conformity with the conditions of local English laws. The crew signed up for a voyage from Liverpool to Palermo, and if need be, to any port or ports in the Mediterranean Sea, or West Indies, and back to the port of discharge in the United Kingdom. The voyage was not to exceed six months.<sup>38</sup> According to Bulloch, not a single officer or man was enlisted for service in the Confederate States. Captain Duguid and the chief engineer were informed that the ship was first to go to Nassau, but they were aware that the shipowner had the right to vary the order of visit to ports specified in the shipping articles.<sup>39</sup> Dudley, the United States Consul at Liverpool, told William H. Seward that the Oreto took her gun carriages on board at Liverpool and sailed with "a crew of fifty-two men and some guns."<sup>40</sup> The customs officers at Liverpool refuted Dudley's report stating:

. . . they kept watch on the proceedings of the vessel Oreto from the time she left the Taxteth Dock, on the 4th of March last [1862], till the day she sailed, the 22nd of the same month. . . . we did not see at any time any arms, or warlike ammunition of any kind, taken on board, and we are perfectly satisfied that none such was taken on board during her stay in the river.<sup>41</sup>

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<sup>38</sup>Ibid., p. 153.

<sup>39</sup>Ibid.

<sup>40</sup>Executive Documents, Vol. I, No. 31, p. 99.

<sup>41</sup>Bulloch, I, 154.



Edward Morgan, a Surveyor of Customs at Liverpool, was very specific in his statement that the Oreto had no warlike stores of any kind on board when she left England.<sup>42</sup> Bulloch also contended that when the Oreto left the Mersey, the vessel was wholly unarmed.<sup>43</sup>

Bulloch originally was to take personal command of the Florida but his orders were modified, and he was to turn the ship over to Lieutenant John N. Maffitt, a Confederate Navy officer.<sup>44</sup> Lieutenant Maffitt had been sent to Nassau on special duty by the Navy Department, and Bulloch believed him to be still there. Bulloch was determined to dispatch the Oreto to Maffitt at once, and so he ordered Master John Low to go in the Oreto to Nassau as a passenger in charge of the public property.<sup>45</sup> The Oreto thus sailed from Liverpool on March 22, 1862.<sup>46</sup> Bulloch said of the Oreto:

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<sup>42</sup>Bulloch quoted Morgan as saying: "I am one of the Surveyors of Customs at this port (Liverpool) . . . I visited the steamer Oreto at various times, when she was being fitted out in the dock . . . I continued this inspection from time to time until she left the dock, and I am certain that when she left the river she had no warlike stores of any kind whatever on board." Bulloch, I, 154.

<sup>43</sup>Ibid., p. 155.

<sup>44</sup>Ibid., pp. 155-56.

<sup>45</sup>Bulloch, I, 161.

<sup>46</sup>Lord J. Russell to C. F. Adams, April 6, 1862, Papers Relating to the Foreign Relations of the United States, 1862, p. 66.

It has been impossible to get the regular battery intended for her on board, but I have sent out four 7-inch rifled guns, with all necessary equipments in the steamship Bahama, bound to Nassau, and Mr. Low will give you all particulars as to her probable time of arrival, and will also hand you a list of everything on board the gun-vessel, as well as an invoice of the shipment by the Bahama.<sup>47</sup>

As soon as the vessel reached Nassau, Low was to notify John N. Maffitt. He was to give Maffitt all the information he had concerning the ship, and he was also to give him the invoice of the stores. Most of the trip was to be made under sail in order to conserve the coal. Low was ordered to:

. . . keep a careful memorandum of the ship's performances, under steam and sail, noting her steering, working, stability, and all particulars of the speed under different circumstances, and the degree of pitching and rolling under various conditions of sea and weather.<sup>48</sup>

The Oreto arrived at Nassau on the morning of April 28, 1862, after a passage of thirty-seven days.<sup>49</sup> When Low arrived at Nassau in the Oreto, Maffitt was not there, but he was expected shortly.<sup>50</sup> On May 10, 1862, John N. Maffitt arrived at Nassau in command of the Confederate

<sup>47</sup>J. D. Bulloch to J. N. Maffitt, March 21, 1862, ORN, Ser. I, Vol. I, 756.

<sup>48</sup>J. D. Bulloch to J. Low, March 21, 1862, Ibid., 756-57.

<sup>49</sup>J. Low to J. D. Bulloch, May 1, 1862, Ibid., 758.

<sup>50</sup>Bulloch, I, 164.

States steamer Gordon which was carrying a cargo of cotton. Maffitt was to take the steamer back to the Confederacy after exchanging the Gordon's cargo for munitions. However, his plans were changed when Low delivered Bulloch's letter to him. On the thirteenth of May Low reported to Bulloch that Maffitt had arrived and had privately taken charge of the Oreto.<sup>51</sup>

The United States Consul at Nassau had his suspicions aroused shortly after the arrival of the Oreto and began to press the authorities to examine and detain the vessel. Several times the Oreto was inspected by officers of the Royal Navy who reported that the Oreto was in all respects suited for the purpose of a vessel-of-war, but that the Oreto was not armed, and had no warlike stores on board.<sup>52</sup> On June 15, 1862, however, some of the crew of the Oreto went aboard the British ship Greyhound, and they told the British Commander they had left the Oreto because they were not able to ascertain the Oreto's destination, and that attempts were being made to recruit another crew. The suspicions of some of the Oreto's crew, coupled with the Governor's skepticism, resulted in the Florida being seized on June 17, 1862, by orders of the Governor of Nassau, and the case was put in the admiralty court for

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<sup>51</sup>Ibid., p. 165.

<sup>52</sup>Executive Documents, Vol. I, No. 31, p. 136.

trial.<sup>53</sup> The charge was one of violating the Foreign Enlistment Act.<sup>54</sup> Many witnesses were heard and the trial was continued from the seventeenth of June until the second of August, 1862, when Judge John C. Lees pronounced judgment.<sup>55</sup> He declared the evidence insufficient and made a decree for the restoration of the vessel to the owner.<sup>56</sup>

Having been released by the decree of the Vice-Admiralty Court, Maffitt, acting always through the consignees of the ship, cleared the Florida for St. John's New Brunswick, and the Oreto went out of the harbor to a position near Hog Island to try the machinery and to refit the vessel. The ship had been much neglected while under seizure, and many articles had been removed which would not be recovered. There were vessels loading daily at Nassau for the purpose of running the blockade into the Confederacy, and one of them the schooner, Prince Alfred, was engaged by the consignees of the steamship Bahama to carry the Oreto's equipment out to her.<sup>57</sup> On August ninth the Prince Alfred cleared for St. John's and

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<sup>53</sup>Journal of J. N. Maffitt, May 4 to December 31, 1862, ORN, Ser. I, Vol. I, p. 764.

<sup>54</sup>Bulloch, I, 166.

<sup>55</sup>Journal of J. N. Maffitt, May 4, to December 31, 1862, ORN, Ser. I, Vol. I, p. 764.

<sup>56</sup>Bulloch, I, 166.

<sup>57</sup>Ibid., pp. 166-67.

proceeded to sea. The Oreto soon followed her and both vessels proceeded to Green Bay, a small desert island on the edge of the great Bahama Bank, about sixty miles from Nassau.<sup>58</sup> At Green Bay the armament and other stores were transferred from the Prince Alfred to the Oreto, and the Confederate flag was hoisted for the first time. The ship was then regularly commissioned, and the name was officially changed to the Florida.<sup>59</sup>

#### The Alabama, Ignominy for England

At the time of the Florida's departure from Liverpool, her still more famous consort had not yet been dignified with any name other than 290.<sup>60</sup> The contract for the vessel, afterwards called the Alabama, was made in Bulloch's name. The negotiations were carried on between him, as a private citizen, and members of the Laird firm.<sup>61</sup>

Bulloch had met the Lairds while he was negotiating for the Florida. He went with a friend to visit Birkenhead Ironworks and was introduced to the Messrs. Lairds. Bulloch discussed the subject of wooden dispatch vessels

<sup>58</sup>Ibid., pp. 167-68.

<sup>59</sup>Ibid., p. 168.

<sup>60</sup>Ibid., p. 225.

<sup>61</sup>Ibid., p. 60.

with them, and a few days later he called upon them again and frankly told them that he wanted to build a screw despatch vessel. He asked them if they would draw up the specifications, make drawings, and construct a model. He assured them he was serious and that he had the necessary financial guarantee.<sup>62</sup>

The Birkenhead Ironworks was some distance above the chief commercial parts of Liverpool and on the opposite side of the Mersey. People passing up river to Frammere and Rock Ferry would often pass along the dock-walls of Messrs. Lairds' establishment, and they observed the gradual development of the graceful vessel. The people who saw the 290 on the building-slip were attracted by her appearance and, no doubt, talked about the vessel's fitness for a cruiser. There was nothing surprising about the suspicions of Dudley and his detectives. Bulloch soon learned that spies were lurking about everywhere and tampering with the workmen at Laird's dock.<sup>63</sup> However, Hull told Bulloch to maintain a quiet reserve as he was doing nothing illegal.

Bulloch refuted the charge, often made, that the Messrs. Laird were paid a high price for undertaking the exceptional risk of building a vessel of war and

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<sup>62</sup>Ibid., p. 59.

<sup>63</sup>Ibid., p. 227.

delivering the vessel to an agent of the Confederate Government beyond British jurisdiction. John Laird Sr. was retired from the firm at the time Bulloch was negotiating for the construction of the Alabama. Shortly after his retirement he was elected to serve in Parliament as the first member for Birkenhead.<sup>64</sup> Laird was severely criticized by pro-Northern supporters in Parliament and, later on, by Northern delegates involved in the negotiation of the "Alabama Claims." These Northern advocates were convinced that Laird was sympathetic to the de facto Confederate Government, and that he had allowed the Confederates to use his shipyards as a base for building Confederate ships. Bulloch contended that John Laird Sr. was never present at any interviews concerning the building of the Alabama, and that John Laird Sr. had nothing to do with the transaction. Furthermore, Bulloch enunciated the fact that none of the Lairds knew the purpose of the Alabama, nor did they have anything to do with the armament of the vessel.<sup>65</sup>

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<sup>64</sup>Ibid., pp. 62-63.

<sup>65</sup>Ibid., pp. 62-64. The United States felt payment should be made to them by the British for allowing the Alabama and similar vessels to escape from England. These vessels had done great harm to the Northern commerce. The problem was taken up in Geneva in 1871. They agreed to submit their disputes to arbitrators who would meet at Geneva, Switzerland as soon as possible. On September 14, 1872, the case was settled. The British

The Alabama was admirably fitted in all respects and built of the very best materials. The ship was delivered to Bulloch in the port of Liverpool unarmed and was launched on the 15th of May, 1862.<sup>66</sup>

As the ship neared completion, Bulloch needed a captain to get the Alabama out of England. A friend of Bulloch's engaged Captain Mathew Butcher who was British and had the necessary credentials. He was hired only to navigate an unarmed ship; no mention was made of his entering the Confederate service.<sup>67</sup>

The Alabama was to be commanded by Captain Raphael Semmes,<sup>68</sup> a good friend of Bulloch's. He was to return

agreed to pay the United States \$15,500,000 in gold for damages done mainly by the Florida, Alabama, and Shenandoah. These ships were all the work of Bulloch. There were other provisions but this was the main part in relation to Bulloch's activities. Executive Documents, Vol. I, No. 31, p. 147.

<sup>66</sup>Executive Documents, Vol. I, No. 31, p. 146. The Alabama cost about \$255,000 and the contract was signed by Bulloch in October of 1861. She was light compared to vessels of her class in the Federal Navy. Ibid. The dimensions of the Alabama were: weight 1040 tons; length 220 feet; breadth 32 feet; draft 15 feet; and two horizontal engines of 300 horse-power. Bulloch, I, 61.

<sup>67</sup>Bulloch, I, 230-31.

<sup>68</sup>Ibid., pp. 234-35. Originally Bulloch was to command the Alabama, but due to Semmes' trouble with the Sumter and his being in the area, Mallory decided to assign him to the Alabama. Bulloch was to sell the Sumter and make arrangements to build two more vessels of the type of the Alabama. Ibid., p. 234. Bulloch described Semmes as not being especially distinguished at handling a ship in fancy



to England from Nassau and meet Bulloch at Liverpool. Semmes had commanded the Sumter, the first Confederate armed cruiser, but he had to leave it at Gibraltar because it was impossible to get the necessary repairs. Consequently, Semmes turned it over to Bulloch to sell, and when Semmes had arrived at Nassau he received orders from the Confederate Government to take command of the Alabama.<sup>69</sup> Meanwhile, Bulloch was informed that C. F. Adams was pressing the British officials to seize the Alabama and Bulloch decided he could not wait for Semmes. So on July 29, 1862, after Bulloch received word it would not be safe to leave the Alabama in Liverpool another forty-eight hours, the Alabama was sent out on a trial run.<sup>70</sup> But the Alabama did not return and headed down the Mersey and out to open sea. Meanwhile, Bulloch had made arrangements to have the Alabama supplied. In May of 1862 Bulloch acquired the Agrippina in London. This

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evolutions, nor did he have the dashing manner of a brilliant deck officer; but he had a comprehensive knowledge of all subjects embraced in a thorough naval education. He was well acquainted with diplomatic usage and requirements of international law. He had inflicted great injury upon the enemy while commanding the Sumter and had spread good will for the Confederacy among the many neutral ports necessity forced him to visit. Ibid., pp. 288-89.

<sup>69</sup>Bulloch, I, 288-90.

<sup>70</sup>Ibid., p. 238.

ship was about 400 tons and was used to haul supplies to the British West Indies.<sup>71</sup> Bulloch sent orders to the Agrippina captain, Alexander Mc Queen, on July 28, 1862, to proceed to the Bay of Praya in the Island of Terceira, one of the Azores. Mc Queen was to wait there for further orders. A similar letter was sent to Captain Butcher on July 30, 1862, which informed him to meet the Agrippina and transfer her cargo to the Alabama.<sup>72</sup>

On August eighth, 1862, Semmes arrived in Liverpool in the Bahama and Bulloch arranged with the Captain to take him (Bulloch) and Semmes back to the selected rendezvous. In seven days the Bahama reached Praya and a transfer of stores was made.<sup>73</sup> Semmes convinced eighty of the ninety Bahama crew to join him on the Alabama.<sup>74</sup>

Bulloch's activities had not gone unnoticed. As early as June 23, 1862, Adams had presented evidence to Russell to convince him that the Alabama was meant for the Confederacy. Earl Russell said he would inform the customs officials and have them look into it. In their

<sup>71</sup>Ibid., p. 237.

<sup>72</sup>Ibid., pp. 245-48.

<sup>73</sup>J. D. Bulloch to S. R. Mallory, September 10, 1862, ORN, Ser. II, Vol. II, p. 263.

<sup>74</sup>Raphael Semmes, Memoirs of Service Afloat During the War Between the States (London: R. Bentley, 1869), p. 412.

report they stated they had free access to the building-yards at Lairds and there were no armaments.<sup>75</sup> On July twenty-third Adams sent Russell additional information on the Alabama. This time he included a deposition of a man called Passmore, who said the captain of the 290 had asked him to go with the ship and make war on the United States. This evidence, along with all the other information Russell had received, was submitted to the Law Officers of the Crown. On July 29th they informed Russell he had a case if he wanted to stop the Alabama. However, the Alabama had left port before the order to stop her could be given.<sup>76</sup> Russell informed Adams that the delay between July 23, when Adams submitted his evidence, and the decision to stop the Alabama on July 29 was caused by the illness of J. D. Harding. Harding, one of the Queen's advisors, was to look at the evidence, but he had gone insane and his wife failed to pass the evidence on for a few days.<sup>77</sup> Adams was disturbed over the escape of the Alabama and it was evident his concern was shared by the American public. The New York Times echoed this

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<sup>75</sup>Executive Documents, Vol. I, No. 31, p. 147.

<sup>76</sup>Hansard, CCVI (1871) 1831-32.

<sup>77</sup>Lord J. Russell to C. F. Adams, August 1, 1862, Papers Relating to the Foreign Relations of the United States, 1862, pp. 162-63.

hostile sentiment by suggesting that the British Cabinet knew the destiny of the Alabama before the Alabama ever sailed. The New York Times admitted that much of the evidence was circumstantial but the editor went on to explain that three-fourths of the convictions of the American Criminal Court proceeded from such evidence. He was convinced the British Government had enough evidence to warrant seizure of the Alabama.<sup>78</sup>

Captain Bulloch had outwitted his British adversaries, but he still had to contend with a problem within his own ranks. Bulloch had not been the only one disappointed at not receiving command of the Florida or Alabama. James H. North, a second Confederate naval officer in Europe, also had visions of commanding a European built vessel, and he was convinced Bulloch, as senior Confederate naval officer in England, had kept him from realizing his goal.<sup>79</sup>

James North had been sent to Europe early in the war to have two ironclads built, and in May, 1862, he signed a contract with Thompson yards in Glasgow for a 3000-ton ironclad.<sup>80</sup>

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<sup>78</sup>New York Times, March 6, 1863, p. 4.

<sup>79</sup>Jim Dan Hill, Sea Dogs of the Sixties, Farragut and Seven Contemporaries (Minneapolis, Minnesota: University of Minnesota Press, 1935), p. 75.

<sup>80</sup>Stern, Guns Roar, p. 166. North arrived in England in July, 1861, and he found no money available for his use. Above, Chapter I, p. 20.

Bulloch told North:

I can not help thinking, however, that in the present aspect of affairs, as well as in view of the unsettled opinions on the subject of ironclads ships, it would not be advisable to go into a heavy contract for a cruising ship of that material.<sup>81</sup>

Bulloch did not agree with North on the size or class of ships most advisable for the Confederate Navy; consequently, this became another source of conflict between the two men.<sup>82</sup>

Still another conflict existed when Bulloch received his new commission as commander. Bulloch had been notified in January, 1862, that he had been assigned the rank of commander and would take command of the first vessel he built.<sup>83</sup> Bulloch had not expected this because he was only a Lieutenant when he resigned from the United States Navy, and he had expected to be given the same rank in the Confederate Navy. He wrote to the Navy Department as follows:

. . . neither in person nor through the influence of others have I sought this advancement. I desired and requested a commission, so that I should in reality be a national officer, but I

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<sup>81</sup>J. D. Bulloch to J. H. North, May 18, 1862, ORN, Ser. II, Vol. II, p. 192.

<sup>82</sup>J. D. Bulloch to J. H. North, June 17, 1862, Ibid., p. 207.

<sup>83</sup>J. D. Bulloch to S. R. Mallory, January 22, 1862, Ibid., p. 134.

did not imagine that the President would place me in a position higher than my date in the old United States service would entitle me to, and I would rather go back to that position now than to be the cause of discontent in the service or of wounding the feeling of a single one of the gallant gentlemen who headed the list of lieutenants.<sup>84</sup>

Bulloch's fear of jealousy on the part of other officers was well founded. Three months later Lieutenant James North wrote as follows:

Rank to a military man is everything and that rank has been taken from me. When South Carolina, my native state, and from whence I received my appointment, seceded from the Union, I felt it my duty to give up that commission I had held in the general navy so long, and tender to her my services, and now that commission I so much coveted and so ardently hoped for has been given to another, and that other a civilian, who, when in the service, was many years my junior . . . . I must beg to record my solemn protest against the foregoing act. I ask for nothing but that justice be shown that corps by the government to whom we belong.<sup>85</sup>

Some of North's fellow officers shared his contempt for Bulloch's advancement in rank; nevertheless, Bulloch retained the rank of commander, which was also later given to North. Bulloch's request to command the first ship was also granted.

The Florida was completed in the winter of 1861-1862, while Bulloch was in the Confederate States. As mentioned

<sup>84</sup>J. D. Bulloch to S. R. Mallory, Ibid., p. 135.

<sup>85</sup>J. H. North to S. R. Mallory, March 29, 1862, Ibid., p. 177.

earlier, Bulloch did not think he would get back in time to command the Florida, so he asked for command of the second vessel he had contracted to be built. He said he preferred the Alabama because this vessel coincided with the style and model of his own selection.<sup>86</sup> As a result Mallory gave Bulloch permission to command the ship of his choice. North was very angry when he discovered Bulloch, in the capacity of a civilian in England, had been given the commission he so ardently had sought. North did not want to lose the Alabama as he had the Florida.<sup>87</sup> Mallory criticized North for his letter of protest and told him to report back to the South; however, Semmes recommended that North stay and finish his work on the ironclads.<sup>88</sup>

Earlier North had a chance to take command of the Florida while Bulloch was gone in the Fingal, but he refused to take the Florida out to sea because the vessel was not armed in port.<sup>89</sup> As a result of his failure to act, North also lost any chances he had of

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<sup>86</sup>J. D. Bulloch to S. R. Mallory, January 13, 1862, Ibid., p. 130.

<sup>87</sup>Hill, Sea Dog, p. 75.

<sup>88</sup>S. R. Mallory to J. H. North, March 17, 1862, ORN, Ser. II, Vol. II, p. 169.

<sup>89</sup>Stern, Guns Roared, p. 166.

being the commander of the Alabama.<sup>90</sup> He had been promised the command of the Alabama as early as November 20, 1861.<sup>91</sup> But, on May 2, 1862, North was informed that Semmes would command the Alabama, and he also was told that his work on the ironclads was to be turned over to Bulloch.<sup>92</sup>

Bulloch as well as North was disappointed at not getting to command the Alabama. However, Mallory informed Bulloch in the summer of 1862 that his services in England were so important that the Confederate Navy wanted him to stay and try to get some ironclad vessels built.<sup>93</sup>

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<sup>90</sup>S. R. Mallory to J. H. North, March 17, 1862, ORN, Ser. II, Vol. II, p. 169.

<sup>91</sup>S. R. Mallory to J. H. North, November 20, 1861, Ibid., p. 106.

<sup>92</sup>J. H. North to S. R. Mallory, December 22, 1862, Ibid., p. 316.

<sup>93</sup>Bulloch, I, 235.



## CHAPTER IV

### IRONCLADS

At the time of the Civil War the latest development in fighting ships was the ironclad--a wooden vessel covered with heavy, armored plating. During the Crimean War the French had a number of floating armored batteries which proved themselves invulnerable against wooden ships.<sup>1</sup> Shortly after the Crimean War ended the French and English had begun to build ironclad fighting vessels, but before 1861 ironclads in the United States were still in the experimental stage.

Mallory was satisfied with the wooden ships Bulloch had constructed but, the Florida and the Alabama were light wooden ships designed to attack merchantmen, and they were not powerful enough to attack the vessels of the Union blockading fleet. Since the goal of the Confederate Navy was to make the Union blockade ineffective, Mallory determined that the Navy should have some vessels formidable enough to achieve that end, and he was of the opinion that the possession of an ironclad ship was a

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<sup>1</sup>James Phinney Baxter III, The Introduction of the Ironclad (Cambridge, Massachusetts: Harvard University Press, 1933), p. 13.

matter of the first necessity. Ironclad vessels would be able to traverse the entire coast of the United States, prevent all blockades and encounter, with a fair chance of success, the entire Federal Navy.<sup>2</sup>

Mallory especially wanted ironclad vessels to match the Federal ironclad--Monitor. He was of the opinion that Confederate ironclads could open and protect blockaded ports of the South.<sup>3</sup> Early in the war he sent James North to Great Britain to investigate the possibilities of building ironclads. He was instructed to purchase a vessel similar to the Warrior, which was being built by England upon the Thames. He also was to acquaint himself with all the advances England was making in the building of iron-armored ships.<sup>4</sup> As the Navy Department had not heard from North when Bulloch visited Richmond in November, 1861, Mallory discussed ironclads with Bulloch.<sup>5</sup> Bulloch hesitated when Mallory suggested that he secure armored rams in Europe for the Confederate fleet because he did not think that the British Government would allow them to sail. Although he had been able to disguise the

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<sup>2</sup>Owsley, King Cotton, p. 395.

<sup>3</sup>Bulloch, I, 380.

<sup>4</sup>S. R. Mallory to J. H. North, May 17, 1861, ORN, Ser. II, Vol. II, p. 71.

<sup>5</sup>Bulloch, I, 380.

Florida as a merchant vessel, an armored ram with turrets could not be treated in that fashion.<sup>6</sup>

On January 14, 1862, Mallory told Bulloch more specifically what he wanted when he wrote:

I earnestly desire to have an armoured steamship of moderate size, say of about 2,000 tons, and to carry eight or ten heavy guns, built in England upon the most approved plan and in the shortest time, and the evident change of feeling and opinion in England in relation to our country induces me to believe that we may now contract for the construction and delivery of such a vessel.<sup>7</sup>

Despite Mallory's optimism about the changing British attitude toward Confederate shipbuilding in England, Bulloch was to discover that the same financial problems were encountered in constructing ironclads.<sup>8</sup>

Despite the Erlanger loan the Confederate purchasing agents still continued to be hampered by lack of funds. Bulloch thought he was going to receive £1,000,000 for building and buying vessels, but this amount was never available to him. The Treasury Department had over-estimated the amount of money to be realized by the loan.<sup>9</sup>

<sup>6</sup>S. R. Mallory to J. D. Bulloch, April 4, 1862, ORN, Ser. II, Vol. II, p. 186.

<sup>7</sup>S. R. Mallory to J. D. Bulloch, January 14, 1862, Ibid., p. 131.

<sup>8</sup>Owsley, King Cotton, pp. 362-63.

<sup>9</sup>Davis, Mc Rae, Financial Agent, p. 40.

Bulloch had the following to say about his economic plight:

It is not my place to comment or report upon the matter. General Mc Rae has made arrangements for me to receive at stated periods a portion of the money to accrue from that source, but I shall not have nearly enough to complete the work in progress and to purchase the supplies you require for immediate use. Two marine engines are nearly ready for shipment, but I have barely sufficient means even in prospect and have not a shilling with which to buy a steamer to take them over. It would be useless to ship them by a transient ship, as should a single part be mislaid the entire engine might be unserviceable. I have no means to purchase the supplies you wish forwarded. All these things require cash. I shall urge Mr. Spence to sell Treasury bonds as you direct, but have little hope that he will succeed. I have pressed the credit of the Navy Department to the utmost extent, and am seriously concerned for fear that work now in progress will soon stop for want of money. The two ironclads shall not be delayed from this cause. I have set aside promised funds to get them clear, and am promised private relief and aid to this end, should the public treasury fail.<sup>10</sup>

Bulloch's financial status was ameliorated with a report from Mallory on the 10th of June in which Mallory informed Bulloch that \$1,000,000 had been placed on account for Bulloch at Fraser, Trenholm and Company.<sup>11</sup> Mallory urged Bulloch to be aware of the necessity of having at least two armored vessels built and equipped at the earliest possible moment.<sup>12</sup>

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<sup>10</sup>J. D. Bulloch to S. R. Mallory, June 30, 1863, ORN, Ser. II, Vol. II, p. 447.

<sup>11</sup>Bulloch, I, 385.

<sup>12</sup>Ibid.

Laird Rams

Soon after getting his instructions Bulloch contracted with the Lairds for the construction of two ironclads, each to cost £93,750; one was scheduled to be completed in March and the other in May, 1863. Bulloch did not inform the Lairds of his ultimate plans for the ironclads; but since the Florida had already gone to sea, the Lairds were probably able to conclude that the ironclads were intended for the Confederacy.<sup>13</sup>

Bulloch was fully aware of the Confederacy's urgent need for ironclad vessels. Fortunately he was in a position to act promptly once he received Mallory's orders. He had made previous arrangements for the Lairds to make drawings and plans, and they were nearly finished. Bulloch had also provided himself with estimates from other builders who competed for Admiralty contracts. Bulloch realized that vessels capable of acting efficiently either in attack or defense of the Confederate coast must be of light draught; therefore, he signed a contract with the eminent Laird iron-shipbuilders. Their position enabled them to obtain the official reports of all experiments conducted to determine minimum draft compatible with seaworthiness. Bulloch also had contracted with the Lairds for building the Alabama, and he was impressed with their workmanship

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<sup>13</sup>Ibid., pp. 385-87.

and their willingness to start construction upon his assurance that remittances would be forthcoming.<sup>14</sup> Both Bulloch and the Lairds consulted their respective counsels as to the legality of the contract, and they were assured the terms of the agreement were quite legal.<sup>15</sup>

On October 27, 1862, Bulloch received a letter from Mallory in which Mallory expressed his approval of the design, and he intimated the Confederate Navy was about to embark on an illustrious career through the use of the ironclads. Bulloch expressed satisfaction with the progress of the ironclads that he had helped design.<sup>16</sup>

<sup>14</sup>Ibid., pp. 385-86.

<sup>15</sup>Ibid., pp. 387-88. There were actually two towns on the west bank of the Mersey River--Birkenhead and Seacombe. They were separated from each other by a very broad branch of the Mersey called the Great Float. The expansive mouth of the Great Float was stopped up by a lock-like structure called the Low Water Basin. Just inside, on the right bank, lay a dock belonging to the Messrs. Laird, who also owned a fine construction dock outside the Great Float, on the western bank of the Mersey River itself. Below the Laird installation, in the Great Float, was located Birkenhead Public Dock. The Laird shipyards had been established in 1824 by a Scot, William Laird, who was able to draw nationwide attention to his new enterprize five years later by launching Britains' first ironclad vessel. Following his death, the business was carried on by his sons, John and William, until the former retired in favor of a parliamentary career. His interest was turned over to his son, John Jr. John Laird's start in political life was very successful. He won the Birkenhead seat from a Liberal, and reinforced a Conservative Party which had been shocked and shaken by its rude treatment in 1858-1859. In the Civil War John Laird's sympathies were with the South. Jones, Confederate Rams, pp. 13-14.

<sup>16</sup>S. R. Mallory to J. D. Bulloch, October 27, 1862, ORN, Ser. II, Vol. II, p. 284.

He was confident that if the rams were ready in December, 1862, they would sweep away the blockading fleet of the Federal Government. Bulloch did express some apprehension over the formidable ships the Union fleet possessed, but he was embolden by the fact that the United States ships could operate only in smooth waters, and he was of the conviction that they could be either avoided or sunk at deep sea.<sup>17</sup>

Bulloch was vexed with the problem of getting the ironclad vessels afloat without the interference of British officials.<sup>18</sup> Bulloch feared the heavy armor plating would be considered armament by the British officials and, thus, a violation of the Foreign Enlistment Act. His legal counsel did not agree<sup>19</sup> but, in order to be on the safe side, Bulloch carried on all transactions as a private individual and arranged that no arms or ammunition be placed upon the Laird Rams before they sailed.<sup>20</sup>

Meanwhile, Federal agents in Britain had noticed the Laird Rams and were doing their best to have them

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<sup>17</sup>J. D. Bulloch to S. R. Mallory, December 8, 1862, Ibid., p. 309.

<sup>18</sup>Bulloch, I, 382.

<sup>19</sup>Ibid., p. 389.

<sup>20</sup>Ibid., p. 386.

seized. The failure of the British Government to seize the Alabama made these agents more alert, and they resolved never to allow another ship to leave Britain for the Confederacy. On November 3, 1862, Secretary Seward wrote to Adams that he had information concerning ironclads being built in England, ostensibly for the Chinese Government, but really for the Confederates.<sup>21</sup> This information was furnished by Dudley, who was able to find out more about the Laird Rams than he had about either the Florida or the Alabama. He wrote to Seward as follows:

The two ironclad rams building by the Messrs. Lairds for the Confederates are each to have two revolving towers of turrets similar to the monitors. When these two vessels are finished they will be truly formidable vessels. The department must understand that no pains or expense is being spared to make them the most powerful and destructive vessels afloat. Nothing is being omitted that science or skill can suggest. The contractors have one of the largest yards in the kingdom and every facility and means for building vessels like these. You must not deceive yourselves. When finished, they will have more power and speed, than any ironclads that have as yet been built, and so protected with steel and armor plate as to be almost invulnerable.<sup>22</sup>

Bulloch was very apprehensive over the possibility of the Laird Rams being seized by the British officials. He wrote, "Dread of offending the United States seems to be

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<sup>21</sup>Executive Documents, Vol. II, No. 11, p. 318.

<sup>22</sup>Ibid., pp. 318-19.



the British rule of action nowadays."<sup>23</sup> Realizing the danger, Mallory suggested that the Laird Rams be fitted out from French ports.<sup>24</sup>

By February 3, 1863, Bulloch had concluded that the British Government would seize the Laird Rams;<sup>25</sup> subsequently, Mallory altered his original idea of fitting them out in French ports and suggested that they be transferred to French ownership.<sup>26</sup> Such a transfer would be fictitious, but it would tend to draw attention away from the ironclads and might save them for the Confederacy. Mallory wrote to John Slidell, the Confederate diplomatic agent in France, to advise Bulloch of the possibility of transferring the ships to French ownership.<sup>27</sup> Mallory comprehended the calamitous effect British seizure of the ironclads would have upon the Confederate Naval effort. Thus, he made every effort to avoid such an excruciating blow to the Confederate cause.

<sup>23</sup>J. D. Bulloch to S. R. Mallory, January 7, 1863, ORN, Ser. II, Vol. II, pp. 331-32.

<sup>24</sup>Ibid., p. 333.

<sup>25</sup>J. D. Bulloch to S. R. Mallory, February 3, 1863, Ibid., p. 376.

<sup>26</sup>S. R. Mallory to J. D. Bulloch, March 19, 1863, Ibid., p. 376.

<sup>27</sup>S. R. Mallory to J. Slidell, March 27, 1863, Ibid., pp. 395-96.

Accordingly, in the latter part of March, 1863, Bulloch transferred the ownership of the ironclads to Bravay and Company of Paris and under qualified solicitors, the necessary papers for this transition were drawn up in legal fashion.<sup>28</sup> To remove suspicion, Bravay, and Company pretended to act as the purchasing agents for the Pasha of Egypt.<sup>29</sup> This guise was easy, because the Viceroy of Egypt had actually arranged with Bravay and Company to have two armed frigates built, but the Egyptian request had been kept secret for political reasons.<sup>30</sup> The solicitors, hired to handle the sale, remarked on its completion that the ships were irretrievably the property of Messrs. Bravay and could not be recovered by any process they might think proper to oppose.<sup>31</sup> It seemed to Bulloch that the ships were safe,<sup>32</sup> but to make the transfer appear genuine he refrained from visiting the Laird yards and examining the vessels.<sup>33</sup> The Lairds were not

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<sup>28</sup>J. D. Bulloch to S. R. Mallory, June 30, 1863, Ibid., pp. 445-46.

<sup>29</sup>Bulloch, I, 402.

<sup>30</sup>Ibid., pp. 406-407.

<sup>31</sup>J. D. Bulloch to S. R. Mallory, October 20, 1863, ORN, Ser. II, Vol. II, pp. 507-508.

<sup>32</sup>Ibid., p. 508.

<sup>33</sup>J. D. Bulloch to S. R. Mallory, June 30, 1863, Ibid., pp. 445-46.

told that the sale was fictitious; consequently, they thought that they were really building the ironclads for Bravay and Company.<sup>34</sup>

The Federal agents worked feverishly to prevent the ironclads from falling into Confederate hands, and on July 11, 1863, Adams asked Russell to confiscate the ironclads and gave him affidavits containing proof that the ships were for the Confederates.<sup>35</sup> On the other hand, the French consul at Liverpool commented that he did not consider the evidence amassed by the Federal agents as corroborating the seizure of the ironclads.<sup>36</sup>

Adams continued to flood the British Foreign Office with additional evidence and requests that the Laird Rams be seized. Although the crown counsel did not think the evidence sufficient to warrant confiscation, Russell realized that the escape of the vessels would cause a serious crisis in Anglo-American relations. On September 3, 1863, Russell ordered the ironclads detained. He reached this decision privately, without the advice or consent of the cabinet; consequently, he wrote to Adams, ". . . I have to inform you that the matter is

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<sup>34</sup>Bulloch, I, 405.

<sup>35</sup>E. Adams, Massachusetts Historical Society, XLV, 290.

<sup>36</sup>Ibid.

under the serious and anxious consideration of Her Majesty's Government."<sup>37</sup>

Not knowing of Russell's decision to detain the ironclads, Adams wrote the Foreign Minister on the fifth, "It would be superfluous in me to point out to your lordship that this is war . . . ." <sup>38</sup> Adams went on to say, "in my opinion it would be impossible that any nation, retaining a proper degree of self-respect, could submit to a continuance of relations so utterly deficient in reciprocity."<sup>39</sup> This note embodied an ultimatum, but, because of Russell's previous decision to detain the Laird Rams, it was unnecessary.<sup>40</sup> On September eighth Russell wrote Adams that instructions had been given not to allow the ironclads to leave Liverpool.<sup>41</sup>

When the matter of Russell's unauthorized action in seizing the ironclads came before the cabinet, Lord Palmerston backed his Foreign Minister in order to maintain some semblance of order within his cabinet.<sup>42</sup>

<sup>37</sup> Ibid., p. 298.

<sup>38</sup> Executive Documents, Vol. II, No. 11, p. 365.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid., p. 366.

<sup>42</sup> B. Adams, Massachusetts Historical Society, XLV, 290.

On September eleventh Russell promised Adams that the ironclads would be held ". . . until satisfactory evidence can be given as to their destination . . . ." <sup>43</sup> Captain E. A. Inflefield, who was assigned the job of watching the Laird Rams, had orders to board them if he saw any sign of an attempt to deliver them to the Confederates. <sup>44</sup> The ironclads remained in the possession of the builder, however, and the Lairds were allowed to continue work on them.

On September 9, 1863, the Messrs. Laird were notified that the ships would not be allowed to sail or even to make a trial trip without special permission. One month later the ironclads were formally seized, "after which they were closely watched and guarded, and the work of completing them virtually stopped." <sup>45</sup> In February, 1864, Bulloch informed Mallory that:

. . . the conjoint efforts of Lord Russell and Mr. Adams have proved irresistible, and it is now settled beyond a doubt that no vessel constructed with a view to offensive warfare can be built and got out of England for the service of the Confederate States. <sup>46</sup>

After the seizure of the Laird Rams, weeks went by during which "no information was lodged in the exchequer

<sup>43</sup>Executive Documents, Vol. II, No. 11, p. 375.

<sup>44</sup>B. Adams, Massachusetts Historical Society, XLV, 302.

<sup>45</sup>Bulloch, I, 424.

<sup>46</sup>J. D. Bulloch to S. R. Mallory, February 17, 1864, ORN, Ser. II, Vol. II, 583.

court, nor could the solicitors for the defendants obtain from the Government any assurance as to when the case would be tried, or what would be the precise nature of the indictment."<sup>47</sup> Toward the latter part of December, 1863, Bulloch took legal advice upon the following points:

- First. Is there any way of forcing the Government to take action?
- Second. Can any damages be recovered from the Government if the verdict is favorable to the defendants?
- Third. Will the Government allow the ships to be sold to a foreign power?

To these questions Bulloch received the following replies:

- First. A suit . . . might be instituted, but the Government would still have the power to create delays, and practically nothing would be gained.
- Second. Damages could only be obtained by an appeal to Parliament and a special act of relief.
- Third. The Government would not probably allow the ships to be sold to a foreign State, but might be willing to settle the whole matter in full by making the purchase themselves, provided the Messrs. Bravay would sign a quit claim.<sup>48</sup>

Bulloch's solicitor was decidedly of the opinion that:

. . . Lord Russell would not act either in accordance with justice or law; that he was in feeling a thorough partisan of the United States, and, acting in that spirit, would create all the delay possible in bringing the case to trial and would further embarrass the defendants by successive appeals from each consecutive verdict. He also felt convinced that Lord Russell would never permit the rams to

<sup>47</sup>Ibid., p. 584.

<sup>48</sup>Ibid., p. 585.

leave England, unless the Emperor of the French would claim them as French property, and thus relieve H. M. Government of all responsibility to the United States.<sup>49</sup>

In January, 1864, Bulloch decided to go to France and bring the matter to a close without further delay by directly appealing to the Emperor through the Messrs. Bravay. Initially there was occasion to hope that Napoleon would intervene at this state of the proceedings, but later this hope became incertitude. Shortly after his arrival in Paris, Bulloch's doubts were confirmed. "The Emperor caused the Messrs. Bravay as well as the Hon. Mr. Slidell to be informed that he could not make the request of the British Government to release the rams."<sup>50</sup>

Definitely assured that the Emperor would make no efforts to secure the release of the ironclads, Bulloch laid the case before Slidell and Mason, who were in Paris, and asked their opinions. They concurred with Bulloch that there was no hope of getting the vessels out, and Bulloch was advised to recover, if possible, the money expended.<sup>51</sup> On February 7, 1864, Bulloch requested

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<sup>49</sup>Ibid.

<sup>50</sup>Ibid.

<sup>51</sup>Ibid.

Messrs. A. Bravay and Company to sell the Laird Rams with as little delay as possible.<sup>52</sup>

Months went by while the British Government was diligently scrutinizing any possible evidence. The Government even assumed the cost of sending a commission to Egypt to interrogate the Viceroy as to his business relations with the Messrs. Bravay and Company. Finally, on May 20, 1864, naval experts from the Admiralty carefully examined and valued the ships, "and then, with the lawsuit in one hand and the valuation in the other, they made a direct offer to the Messrs. Bravay, which was accepted."<sup>53</sup> The ironclads became the Scorpion and Wivern of Her Majesty's Navy.<sup>54</sup>

Bulloch lamented the loss of the ironclads as if he had lost his best friend. He comprehended the calamitous effect the loss of the ironclads would have upon the Confederate Navy. He realized that he was about to lose something even more dear to him than a friend--his country. For without the ironclads the Lilliputian of the naval world would be obliterated by the Gargantuan Federal Navy.<sup>55</sup>

<sup>52</sup>J. D. Bulloch to Messrs. A. Bravay and Company, February 7, 1864, ORN, Ser. II, Vol. II, 586.

<sup>53</sup>Bulloch, I, 440.

<sup>54</sup>Hill, Sea Dog, p. 82.

<sup>55</sup>J. D. Bulloch to S. R. Mallory, February 17, 1864, ORN, Ser. II, Vol. II, p. 294.



Although Bulloch, with deep regret, consented to sell the ironclads, nevertheless, he paid tribute to the completely fair and straight-forward way in which the Admiralty conducted the operation of purchase. The ships were valued fairly in every respect, and the amount paid by the British Government was about £30,000 in excess of the original contract price of the two ships.<sup>56</sup> Bulloch wrote:

. . . the circumstances which brought this pecuniary reinforcement to the funds of the Navy Department were most distressing, yet the relief came at a time when much work would have been necessarily abandoned, and some important contracts cancelled, if it had not been obtained.<sup>57</sup>

The failure of the Laird Rams marked the final efforts of James Bulloch to get men-of-war constructed in Great Britain.<sup>58</sup> The Confederate Navy was destined not to suffer defeat on the high seas but rather within the confines of the British Government's law offices.

#### Alexandra

Fraser, Trenholm and Company further complicated the diplomatic situation, when they decided to make the Confederacy a present of a 287 ton steamer. They had Fawcett, Preston, and Company and William Miller and

<sup>56</sup>Bulloch, I, 442.

<sup>57</sup>Ibid.

<sup>58</sup>Hill, Sea Dog, p. 82.

Sons build the Alexandra, under the direction of Lieutenant John R. Hamilton, one of Bulloch's subordinates.<sup>59</sup> The Federal agents learned of the vessel and took steps to prevent its departure; and on March 28, 1863, Dudley asked the collector of customs at Liverpool to have the vessel seized.<sup>60</sup>

On March 11, 1863, Dudley wrote Seward that he would do all that he could to stop the Alexandra, but he entered upon the business with doubts and misgivings. Dudley's attorney, Squarey, by name, of the firm of Duncan, Squarey and Blackmore, of Liverpool, gave Dudley no encouragement since there was not sufficient evidence of the intent of the vessel to make a case possible.<sup>61</sup> Dudley complained to Seward on March 20, 1863, of the great hardship and injustice he was experiencing in having the Alexandra stopped. He said that the British Government refused to move until legal evidence had been furnished which would justify the seizure of the vessel, and that the Government would provide no means for procuring evidence.<sup>62</sup>

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<sup>59</sup>J. D. Bulloch to S. R. Mallory, November 7, 1862, ORN, Ser. II, Vol. II, p. 294.

<sup>60</sup>Executive Documents, Vol. II, No. 11, p. 262.

<sup>61</sup>Ibid., p. 258.

<sup>62</sup>Ibid., p. 259.

By March 28, 1863, Dudley had collected a number of affidavits in which the statements, "I was informed," or "some one said," appeared frequently.<sup>63</sup> These affidavits were sent to Adams who, in turn, forwarded them to Russell.<sup>64</sup> On April 5, 1863, Adams received a note from Russell saying that orders had been sent to Liverpool for the seizure of the Alexandra.<sup>65</sup> Two days later Adams wrote to Seward as follows:

. . . I think we may infer from this act the seizure of the Alexandra that the government is really disposed to maintain its neutrality. I rejoice at this symptom of a disposition to defeat the machinations of those who hope to relieve the rebels by the creation of a diversion from this side. The manner in which their sympathizing newspapers notice the event betrays the bitternesses of their disappointment.<sup>66</sup>

Bulloch complained to Mallory on June 30, 1863, that in the case of the seizure of the Alexandra the defendants were denied a hearing before the magistrate. Instead of permitting a hearing, the British authorities caused the ship to be exchequered. By this proceeding the vessel was subjected to indefinite delays before it could be released; although it was not condemned. It was a process, also where the Government, even though it

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<sup>63</sup>Ibid., pp. 262-68.

<sup>64</sup>Ibid., p. 268.

<sup>65</sup>Ibid., pp. 268-69.

<sup>66</sup>Ibid., p. 269.

failed to win its case, could debar the defendants from any right or claim for damages or costs. Bulloch interpreted this action as a further disposition of the British authorities to favor the United States through its officials.<sup>67</sup>

The case of the Alexandra was called on June 22, 1863, and was tried before the Lord Chief Baron of the Exchequer, Sir Frederick Pollock.<sup>68</sup> At the trial the judge interpreted the Foreign Enlistment Act in terms favorable to the Confederacy. He justified the supplying of ships to belligerents by the subjects of a neutral power, on the grounds that international law did not forbid the supplying of anything else which might be used for the destruction of human beings. He did not think ships should be an exception.<sup>69</sup>

The question as finally left with the jury by the Lord Chief Baron was as follows:

Was there any intention that in the port of Liverpool, or in any other port, she the Alexandra should be . . . either equipped, furnished, fitted out or armed with the intention of taking part in any contest?  
 . . . if you think the object was to equip,

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<sup>67</sup>J. D. Bulloch to S. R. Mallory, June 30, 1863, ORN, Ser. II, Vol. II, pp. 447-48.

<sup>68</sup>Bulloch, I, 447-48.

<sup>69</sup>Ibid., p. 334.

furnish, fit out, or arm that vessel at Liverpool, then that is a sufficient matter. But if you think the object was to build a ship in obedience to an order, and in compliance with a contract, leaving it to those who bought it to make what use they thought fit of it, then it appears to me that the foreign enlistment act has not been in any degree broken.<sup>70</sup>

The jury pronounced a verdict in favor of the defendants, since there was not sufficient ground for holding the ship.<sup>71</sup> The case was appealed, and the Government found means of prolonging the proceedings so that the Alexandra was never delivered to the Confederacy.<sup>72</sup> The legal victory for the Confederacy brought no material satisfaction; a ship was lost. The ironclads were the last hope for an impotent Confederate Navy. Bulloch had been a stalwart for the Confederate Naval Department, but his vigorous shipbuilding campaign for the Confederacy was brought to an end by the British legal officers.

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<sup>70</sup>Executive Documents, Vol. V, No. 11, p. 130.

<sup>71</sup>Bulloch, I, 335.

<sup>72</sup>The Alexandra, "having been released, was sent to Nassau, where she was again libelled in the Vice-Admiralty Court of the Bahamas, and a second time released . . . . She remained at Nassau until the end of the war, and was afterwards known as the Mary." Bernard, Historical Account of Neutrality, pp. 354-55.

## CHAPTER V

### A CHANGE IN BRITISH POLICY

The Alexandra was seized "upon a . . . principle, new to British procedure."<sup>1</sup> On March 27, 1862, Russell had written to Adams:

It is . . . a duty not to punish persons on suspicion, without any proof of their evil intent. It is not the custom of this country to deprive any person of liberty or property without evidence of some offense.<sup>2</sup>

But orders were given to stop the Alexandra because evidence seemed to indicate she was intended for the Confederate service. This was far from being the same thing as the previous assertion that conclusive evidence was required.<sup>3</sup> A letter which Russell wrote to Lyons on April 7, 1863, indicated that the new principle was henceforth to be observed in matters relating to the Confederacy:

The orders given to watch, and stop when evidence can be procured, vessels apparently intended for the Confederate service will, it

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<sup>1</sup>Owsley, King Cotton, p. 423.

<sup>2</sup>Executive Documents, Vol. I, No. 11, p. 230.

<sup>3</sup>E. D. Adams, Great Britain and American Civil War, II, 136.

is to be hoped, allay the strong feelings which have been raised in Northern America by the escape from justice of the Oreto and Alabama.<sup>4</sup>

Russell altered his former liberal views about Confederate shipbuilding in England. As mentioned earlier, he seems to have been influenced by the privateering bill of the United States.<sup>5</sup> Probably the best reason for Russell's change of opinion was his awareness of what future Alabamas might do to British commerce.<sup>6</sup> In 1862 British property on the seas was worth £100,000,000 to £120,000,000 while no other country had more than £30,000,000. Britain had much more to lose in future wars if Alabamas were permitted to be constructed in neutral ports as commerce destroyers.<sup>7</sup> The Alabama and Florida were already too successful for the Confederacy's own good.

With the increased vigilance of the British Government Bulloch's building program in Great Britain had come to an end. However, Bulloch still had one ship, the Georgiana, under construction in the yard of a Mr. Laurie

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<sup>4</sup>Ibid.

<sup>5</sup>Jones, Confederate Rams, pp. 52-53.

<sup>6</sup>E. D. Adams, Great Britain and American Civil War, II, 138.

<sup>7</sup>Hansard, CLXX (1863) 734-35.

at Glasgow.<sup>8</sup> After running the blockade to Charleston the fast and powerful steamer, Georgiana, was to be fitted out as a cruiser.<sup>9</sup> The Confederate vessel escaped from Liverpool in January, 1863, after Adams and Dudley had protested to no avail.<sup>10</sup> But the British Government permitted the ship to go because they considered the Georgiana a peaceable trader.<sup>11</sup> The Georgiana had left Liverpool January 22, 1863, cleared for Nassau and was supposedly going to be of service for the Chinese.<sup>12</sup>

The Georgiana was an iron screw steamer constructed by a George Wigg of New Orleans. The ship was registered in the name of a Neil Mathieson, who was Secretary of Confederate Ordnances in Glasgow. Here again Bulloch was the man behind the scenes, and he did all of the actual

<sup>8</sup>U.S. Congress, House of Representatives, The Case of Great Britain as Laid Before the Tribunal of Arbitration, 42d Cong., 2d Sess., 1872, Executive Doc. Vol. XIV, Part 2, No. 282, p. 191 (Cited hereafter as Executive Documents, No. 282).

<sup>9</sup>S. A. Wallace (ed.), Journal of B. Moran, II, 145.

<sup>10</sup>Ibid., p. 1108.

<sup>11</sup>Ibid., p. 1145.

<sup>12</sup>John Thomas Scharf, History of the Confederate States Navy from Its Organization to the Surrender of Its Last Vessel (2d ed. New York: Rogers and Sherwood, 1894), p. 802.



planning.<sup>13</sup> The Georgiana proceeded from Glasgow to Liverpool on January 3, 1863. Dudley contended that the Georgiana had four port-holes for rifled cannon;<sup>14</sup> however, the British Government did not believe Dudley's claim was conclusive evidence for seizure.<sup>15</sup> The assistant surveyor at Liverpool, James Webb, boarded the Georgiana, and said he found nothing to indicate the vessel would be used for a privateer. He said drugs were aboard, and so it was likely the vessel was a blockade runner.<sup>16</sup> The head surveyor added that he had found nothing wrong with the Captain's papers.<sup>17</sup> Webb also stated in his report that the Georgiana had no port-holes when he inspected her at Liverpool.<sup>18</sup> Nevertheless, Adams told Russell he doubted the report of the surveyors at Liverpool. Adams contended a foreman who superintended the work on the Georgiana told him he had pierced two port-holes on each side of the vessel.<sup>19</sup>

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<sup>13</sup>F. H. Morse to C. F. Adams, January 22, 1863, Papers Relating to the Foreign Relations of the United States, 1863, p. 84.

<sup>14</sup>Ibid.

<sup>15</sup>Executive Documents, Vol. I, No. 11, p. 772.

<sup>16</sup>Ibid., p. 776.

<sup>17</sup>Ibid.

<sup>18</sup>Executive Documents, Vol. II, Part 2, No. 282, p. 197.

<sup>19</sup>Ibid., p. 202.

Upon arrival at Nassau the Georgiana was examined again by the authorities. They reported the vessel was not armed, not constructed of heavy iron, and not more than five hundred tons burden.<sup>20</sup> Consequently, the Georgiana was released and set sail for Charleston.

Unfortunately for the Confederacy the Georgiana came into contact with Federal ships on March 15, 1863, while trying to run the blockade. The Georgiana was intentionally run ashore at Long Island beach on the South Carolina coast to avoid capture. The rudder was disabled by the explosion of a shell under the stern, and the hull was penetrated by several shots.<sup>21</sup> With the destruction of the Georgiana, Bulloch concluded his efforts to build any more cruisers in England. The Georgiana had originated in Scotland but her first sailing date was from Liverpool. However, Bulloch did send other ships to sea from England, one of the most notable being the Sea King, later called the Shenandoah.

#### Shenandoah

In the autumn of 1863 Bulloch and Lieutenant Robert R. Carter made a trip to the Clyde to purchase a blockade

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<sup>20</sup>Ibid., p. 204.

<sup>21</sup>Executive Documents, Vol. II, Part 2, No. 282, p. 197.

runner for transporting marine engines to the Confederacy.<sup>22</sup> While there they noticed a ship that was full-rigged with something more than auxiliary steam-power. This ship had all the necessary arrangements for disconnecting and lifting her screw. They were pleased with the ship, but they could make only a very hurried and imperfect inspection of the vessel as the Sea King was about to leave on her first voyage. Bulloch learned, however, that the vessel was sailing for Bombay, and that the Sea King would return to England in eight or ten months.<sup>23</sup>

Bulloch envisioned the Shenandoah as a possible reincarnation of the immensely successful Alabama and Florida vessels. These two earlier Confederate raiders had a disastrous effect upon Union Commerce. After a few months it became very dangerous for United States vessels to appear on the commercial lanes of the high seas. In fact, many American merchantmen began to sail under neutral flags or remain in port.<sup>24</sup>

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<sup>22</sup>Bulloch, II, 234-36.

<sup>23</sup>Ibid., p. 125.

<sup>24</sup>The following is an account of the number and tonnage of American vessels which were registered under the British flag to avoid capture by Confederate cruisers: in 1861, vessels 126, tonnage 71,673; in 1862, vessels 135, tonnage 64,578; in 1863, vessels 348, tonnage 252,579; and in 1864, vessels 106, tonnage 92,052. Bulloch, II, 185..

By the end of 1864 the number of United States vessels sailing under British flags had dropped drastically, illustrating the diminishing Confederate Navy. By the summer of 1864 the Confederates had only one English-built cruiser on the high seas, the Florida. This vessel was on her third, and what proved to be her last cruise.<sup>25</sup>

The Alabama was sunk off Cherbourg on June 19, 1864, by the United States steamer Kearsarge, commanded by a Captain Winslow.<sup>26</sup> The English steamer, Deerhound, was nearby at the time and rendered assistance to the crew of the Alabama, which greatly upset the United States.<sup>27</sup> In July, 1864, Mallory wrote to Bulloch urging him to replace the Alabama.<sup>28</sup>

Mallory was well aware of the magnitude of the cruisers Bulloch had constructed, but he was not satisfied with the unconstrained coastal trade and fisheries of the United States along the California coast. Bulloch was pessimistic over the chances of the British Government's allowing Confederate cruisers to sail from British

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<sup>25</sup>S. R. Mallory to J. D. Bulloch, November 17, 1864, ORN, Ser. II, Vol. II, pp. 767-68.

<sup>26</sup>S. R. Mallory's Report to the President, April 30, 1864, Ibid., p. 631.

<sup>27</sup>Ibid., pp. 632-33.

<sup>28</sup>S. R. Mallory to J. D. Bulloch, July 18, 1864, Ibid., p. 687.

shipyards, but he renewed his efforts when his financial position was strengthened by the sale of the Laird Rams in May, 1864.<sup>29</sup> Concluding that it was no longer feasible to build ships in England, Bulloch negotiated to purchase the Sea King.<sup>30</sup> Although Bulloch's activities in England during the years 1864 to 1865 were insignificant when compared with those of 1862 and 1863, the last two years were not idle ones for him.

Lieutenant Carter had returned to Richmond from England and talked with Mallory about the Sea King. Mallory was impressed and consequently ordered Bulloch to purchase two ships of the type of the Sea King for operation against the whalers of the North Pacific.<sup>31</sup> The initial step Bulloch took in purchasing the Sea King exemplifies one of his outstanding characteristics-- initiative. While Mallory and Carter were discussing the merits of the Sea King as a cruiser Bulloch had

<sup>29</sup>Bulloch, II, 124.

<sup>30</sup>Bulloch had received word of the availability of the Sea King from his broker and concluded the deal before receiving Mallory's instructions. Bulloch and Carter had been attracted by the Sea King some months before but at that time the vessel was not for sale. J. D. Bulloch to S. R. Mallory, September 16, 1864, ORN, Ser. II, Vol. II, p. 723.

<sup>31</sup>S. R. Mallory to J. D. Bulloch, August 19, 1864, Ibid., p. 708.

successfully purchased the vessel.<sup>32</sup> Later on Mallory appointed Lieutenant James I. Waddell as commander of the Sea King.<sup>33</sup>

The Sea King was a merchant steamer built at Glasgow in 1863,<sup>34</sup> and the vessel had belonged to a Bombay company employing her in the East India trade. When purchased by Bulloch's agent she had just returned from her first voyage.<sup>35</sup>

The Sea King "was perhaps the only ship of her type and class in Great Britain," and the vessel could not fail

<sup>32</sup>J. D. Bulloch to S. R. Mallory, October 20, 1864, Ibid., p. 736. The Shenandoah cost approximately £45,000. Executive Documents, Vol. III, No. 11, p. 319.

<sup>33</sup>Bulloch told Mallory he wanted a Commodore Barron to command the Shenandoah, but he was not available and so Barron sent Waddell. J. D. Bulloch to S. R. Mallory, September 29, 1864, ORN, Ser II, Vol. II, p. 730. Bulloch described the Sea King as fully rigged, with rolling topsails, and plenty of accommodations for officers of all grades. Between decks she was 7 feet 6 inches high, with large air ports, which had been fitted under Government inspection for the transport of troops. The vessel had a tonnage of 1,160, and was classed as an A-1 ship. Bulloch considered the Sea King admirably suited for the purposes of the Confederacy, and said that he would spare no effort nor neglect any precaution which would tend to place her speedily under the flag. J. D. Bulloch to S. R. Mallory, September 16, 1864, Ibid., p. 723. The cost of the Laurel was £12,000. The vessel was described as being about 300 tons burden, nearly new, and very strong. Executive Documents, Vol. I, No. 11, p. 556.

<sup>34</sup>Executive Documents, Vol. III, No. 11, p. 319.

<sup>35</sup>J. D. Bulloch to S. R. Mallory, September 16, 1864, ORN, Ser. II, Vol. II, p. 723.

to attract attention in the London docks. It was obvious that the vessel would be watched with suspicion by the hired detectives of the United States consul.<sup>36</sup> Bulloch, on this account, did not dare board the ship, nor permit his name to be connected with the Sea King's purchase. The purchase was arranged for through Richard Wright of Liverpool, who bought the vessel in his own name, had her coaled, and cleared for Bombay.<sup>37</sup> The captain of the Sea King was given power-of-attorney to sell the vessel at any time after leaving London for any sum not less than £45,000 sterling.<sup>38</sup>

Bulloch purchased a screw-steamer called the Laurel to act as tender, or supply vessel, to the Sea King.<sup>39</sup> The qualities of the vessel fitted her for blockade running, and Bulloch thought she might earn her own expenses, or perhaps recoup the cost of the purchase.<sup>40</sup>

Bulloch was correct in assuming that the activities connected with the purchase of the Sea King and the Laurel

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<sup>36</sup>Bulloch, II, 127.

<sup>37</sup>Executive Documents, Vol. III, No. 11, p. 319. Wright was the father-in-law of Charles Prioleau, of South Carolina and he was the managing partner of the Liverpool house of Fraser, Trenholm and Company. Ibid.

<sup>38</sup>Ibid.

<sup>39</sup>Bulloch, II, 129.

<sup>40</sup>Ibid.

would arouse the suspicions of Northern officials. Dudley wrote Adams on October 7, 1864, that he understood a screw-steamer called the Laurel had been purchased for the Confederates. The vessel was then at Liverpool and had been entered by Henry Lafore, agent of the ships, to load for Matamoros, via Nassau. A number of cases containing guns and gun-carriages had been taken on board, and there was nothing, Dudley wrote, to prevent these being mounted on the ships' decks as soon as the vessel left port. Dudley stated the Laurel had twenty-one seamen more than required for a vessel of her class and that the Laurel's movements were most suspicious.<sup>41</sup> On October 8, 1864, Dudley addressed a similar communication to Seward, and said that while he had no evidence against the Laurel, he felt that the vessel should, if possible, be captured.<sup>42</sup> Dudley was most assiduous in his onslaught of the Confederate vessel. He and Adams were well aware of the havoc another Alabama could render to Federal commerce. Adams continually admonished the British for their supine effort.

After her purchase the Laurel was placed in the hands of a shipping agent in Liverpool, booked for a voyage to Havana, and thus advertised. It was stated that she would

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<sup>41</sup>Executive Documents, Vol. I, No. 11, p. 556.

<sup>42</sup>Ibid., p. 556.



take freight and a limited number of passengers. "The freight, of course, consisted of the stores and armament for the cruiser, Sea King, and the passengers were the officers and a few choice men for her."<sup>43</sup> Lieutenant J. F. Ramsay was in command of the Laurel, and he was ordered to sail on the afternoon of October 8, 1864.<sup>44</sup>

Lieutenant William C. Whittle was ordered to present himself at a certain hotel in London and assume an alias-- W. C. Brown. There he would meet Peter S. Corbett. Whittle was to arrange passage on the Sea King and take orders from Captain Corbett, the legal commander of the ship, until Corbett was transferred. Bulloch told Whittle to acquaint himself with the Sea King's sailing, to observe the disposition of the crew, and to discuss with Captain Corbett the necessary alterations and other details relative to converting the ship into a Confederate cruiser.<sup>45</sup>

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<sup>43</sup>Bulloch, II, 129.

<sup>44</sup>Executive Documents, Vol. I, No. 11, p. 557. Ramsay was to convey Lieutenant Commander James I. Waddell and his staff of officers, and the other passengers, of whom he had been advised, to Funchal on the Island of Madeira (part of the Azores). Ramsay was ordered to take on board at Funchal as large a supply of coal as he thought safe, since he might have to steam for twenty days. J. D. Bulloch to J. F. Ramsay, October 8, 1864, ORN, Ser. II, Vol. II, 733-34.

<sup>45</sup>J. D. Bulloch to W. C. Whittle, October 6, 1864, ORN, Ser. II, Vol. II, 731-32.

The Sea King was ordered to sail from London as early as possible on the morning of October 8, 1864. The Laurel had orders to sail from Liverpool in the afternoon of the same day.<sup>46</sup>

The component parts of this naval expedition functioned with precision. On October 20, 1864, Bulloch reported to Mallory the safe departure of the Sea King, and said that the entire expedition was then far at sea "beyond the reach of interference on the part of any United States authority in Europe." He continued:

I need only say that the arrangements combined most favorably, and that the two vessels sailed-- the Sea King from London and the Laurel from Liverpool--within a few hours of each other. I heard from the Sea King off Deal; everything was in fine condition and she was making 12½ knots under steam and fore and aft sails. Lieutenant Ramsay sent me a line from the pilot station off Holyhead, to say that not a single package had been left, and that the Laurel though deep with coal, had averaged over 11 knots since leaving the Mersey.<sup>47</sup>

The arrangements for the Sea King's cruise were successful to the final details. The ship met her tender, the Laurel, at Funchal, and a prompt transfer of the stores took place off Madeira.<sup>48</sup>

<sup>46</sup>Bulloch, II, 131.

<sup>47</sup>J. D. Bulloch to S. R. Mallory, October 30, 1864, ORN, Ser. II, Vol. II, 736.

<sup>48</sup>Bulloch, II, 141.

When all the supplies destined for the raider were aboard, Captain Waddell assembled the crews, announced the transfer of ownership, read his commission, and declared the former Indiaman to be the Shenandoah, of the Confederate States Navy.<sup>49</sup>

The two ships separated in October, 1864, and the men who had declined to enlist in the Confederate service were taken on the Laurel to Teneriffe, and later they, with Captain Corbett and his officers, returned to England on the steamer Calebar.<sup>50</sup>

It was a disappointment to Bulloch that so few of the men could be induced to enter the service when they learned the object of the ship's cruise.<sup>51</sup> But, he was cheered by the report of Lieutenant Ramsay that, while the Shenandoah started on her cruise very shorthanded, the officers were all in fine spirits. Bulloch felt sure that the crew could be steadily reinforced from prizes.<sup>52</sup>

The tenacity and veracity with which Bulloch pursued the armament of Confederate cruisers bordered on the incredulity. His adversaries--time, insufficient finances,

<sup>49</sup>Hill, Sea Dog, p. 233.

<sup>50</sup>Executive Documents, Vol. III, No. 11, p. 324.

<sup>51</sup>The Shenandoah's full complement of officers and crew was reported to be 185. Executive Documents, Vol. II, No. 11, p. 95. ". . . the force to handle the Shenandoah at the start was only forty-two, all told." Bulloch, II, 145.

<sup>52</sup>Ibid., p. 142.

hostile British laws, and methodical Federal surveillance-- would have disheartened the average man.

The Shenandoah's success as a man-of-war is indicated by the following statistics: the crews of the captured vessels numbered in the aggregate of 1,053 men, and the value of the vessels destroyed by the Shenandoah, according to the depositions of the masters taken at the time of the captures, was \$1,361,983.<sup>53</sup> The success of the Shenandoah, while less significant than the Florida or Alabama, thoroughly dispersed, and for the most part, destroyed the American whaling fleet.

The Shenandoah sailed in the Pacific and Arctic Oceans and did not come into contact with the main vessels of the United States merchant marine. Since these whalers remained at sea for long periods of time, Waddell obtained very little information about the outside world. The Civil War had terminated in June, 1865, with the surrender of General Lee to General Grant, but Waddell never received Bulloch's letter.<sup>54</sup> He never discovered until several months later that the war was over. He was informed of

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<sup>53</sup>Ibid., p. 153.

<sup>54</sup>J. D. Bulloch to J. I. Waddell, June 19, 1865, ORN, Ser. II, Vol. II, p. 811. On June 19, 1865, Bulloch wrote a letter to Waddell telling him the war was over. He told him to enter any port, discharge the crew, and disarm the ship. However, Bulloch did not know where the Shenandoah was nor if Waddell would ever get his letter. Ibid.

the Confederate defeat by a British ship, the Baracouta, he met on August 2, 1863.<sup>55</sup>

Bulloch's hopes and aspirations came to an end with the surrender of the Shenandoah. The Confederacy would rise again in the pages of history, but the role played by Bulloch seemed destined to be buried in oblivion.

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<sup>55</sup>Stern, Guns Roared, p. 338.

## CONCLUSION

Historians have failed to realize the significance of Bulloch's contributions to the Confederate cause, and they have given little attention to his activities. If Bulloch had been successful in achieving his complete goal, he would have been listed among the great heroes of the War for Southern Independence. As it is, one can only say that he made one of the most significant and noble contributions to a "Lost Cause."

Bulloch served a "Lost Cause" but he most assuredly served it well, as testified by the ships he bought or had built in England. The first of these cruisers was the Florida. She began her career in January, 1863, and sailed in the Atlantic for nearly two years. The Florida destroyed many enemy merchantmen until October 7, 1864, when she was finally destroyed by the United States Wachusett.

The Florida was followed by the Alabama. The Alabama, the most renowned of the Confederate cruisers built through Bulloch's efforts, put to sea under the Confederate flag on August 24, 1862. During her first two months at sea she took twenty prizes.<sup>1</sup>

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<sup>1</sup>Executive Documents, Vol. IV, No. 11, pp. 446-56.

The Florida, Alabama, and the Shenandoah sunk or captured more than 250 merchantmen. The United States recognized the importance of these cruisers and estimated the damage done by them at more than \$15,000,000.<sup>2</sup>

Much credit for the accomplishments of these vessels must be given to Bulloch. The greatest obstacle which the Confederate Navy had to surmount was lack of ships, and it was Bulloch's diligent and faithful application of his ingenious ability, his thorough knowledge of nautical affairs, and his sound experience that enabled the Confederacy to surmount this hurdle.

Bulloch also made important contributions to blockade running, one of the most important activities of the Civil War. The Confederate Navy tried to break the blockade with ironclads, but the Virginia and a few crude ironclads built in Confederate ports did not constitute sufficient force to deal decisive blows. All hope of breaking the blockade was based on the rams that Bulloch was having built. As early as April 10, 1862, Mallory wanted six ironclads built in England, but the shortage of money limited the number actually contracted. These six ironclads might have rendered the blockade ineffective; they might have made disastrous raids on Union ports; and they might have

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<sup>2</sup>Ibid.

turned the tide of the war.<sup>3</sup> But the United States Government, realizing their importance, took a strong stand and demanded that England and France prevent the Laird Rams and the Alexandra from sailing. After the Confederate military disasters of the summer of 1863, England and France could not afford to defy the Union stand, and they seized the Laird Rams.

Bulloch cannot be charged with incompetence or lack of diligence simply because he failed to get the Laird Rams afloat. The obstacles were so great that they could not be surmounted. Bulloch, like his famous contemporary, Robert E. Lee, displayed skill and ability in making the best of difficult situations, but the United States had vastly superior resources against which the total efforts of the Confederacy could not prevail.

Perhaps it is possible to better appreciate Bulloch's value by measuring it in dollars and cents. In answer to a resolution of the United States House of Representatives dated January 28, 1869, there was compiled a list of American vessels captured and destroyed by Confederate cruisers during the Civil War. This list gives the number of ships destroyed by the Alabama as 70; the Florida is recorded as having destroyed 36 vessels; and

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<sup>3</sup>S. R. Mallory to J. Davis, April 10, 1862, ORN, Ser. II, Vol. II, pp. 181-82.



the Shenandoah 36.<sup>4</sup> Owsley in his book King Cotton Diplomacy stated that during the war above 200 ships were sunk or captured by all Confederate cruisers and privateers, with a property loss of around thirty million dollars.<sup>5</sup>

The hazards of shipping drove American vessels home, or to neutral ports, and marine insurance rose higher than it was in the war with England in 1812 when Great Britain had the United States' coast blockaded. Ultimately there was no alternative but to dispose of these ships to neutral powers.<sup>6</sup>

At the end of the war in 1865 only a little over a million tons, of the inferior vessels which could not be sold, were left of the total Northern merchant marine. This same marine in 1860 consisted of 5,500,000 to 6,000,000 tons.<sup>7</sup>

It is significant to note that no one in treating the subject has minimized Bulloch's ability or questioned his honesty, sincerity, or patriotism. In fact many Confederate leaders praised very highly Bulloch's

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<sup>4</sup>Executive Documents, Vol. IV, No. 11, pp. 446-74.

<sup>5</sup>Owsley, King Cotton, p. 555.

<sup>6</sup>Ibid., pp. 574-75.

<sup>7</sup>Ibid., pp. 574-75.

Confederate service. President Davis, whose views were typical, wrote as follows:

Captain James D. Bulloch, an officer of the old navy, of high ability as a statesman, and of an integrity which stood the test under which a less stern character might have given way, was our naval agent at Liverpool. In his office he disbursed millions, and, when there was no one to whom he could be required to render account, paid out the last shilling in his hand, and confronted poverty with no prospect of other reward than that which he might find in a clear conscience.<sup>8</sup>

The history of the Southern naval procurement in England is largely the story of James Bulloch. His activities form an impressive monument more worthy of note than his present unkept tombstone in Liverpool's Toxteth cemetery.<sup>9</sup>

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<sup>8</sup>Jefferson Davis, The Rise and Fall of the Confederate Government (2 vols.; New York: D. Appleton and Company, 1881), II, 248.

<sup>9</sup>Frank Merli and Thomas W. Green, "Great Britain and the Confederate Navy, 1861-1865," History Today, XIV (October, 1964), 695. After the war Bulloch remained in Liverpool and entered business as a merchant. After the death of his second wife in 1897, Bulloch moved in with his son-in-law at 76 Canning Street, Liverpool. His first wife died in 1854 leaving no children. He later married a Mrs. Harriott Cross Foster in 1858. There were four children by that marriage. Bulloch died on January 7, 1901, due to infirmities of old age and was laid to rest in Liverpool. Courtney, Confederate Research Review, No. 2, p. 2.

## APPENDIX A

### THE BRITISH FOREIGN ENLISTMENT ACT OF 1819\*

The British Foreign Enlistment Act of 1819 consisted of twelve sections. These sections related to four subjects. First, they repealed all former statutes on the subject; second, they defined the acts which the British legislators regarded as acts which a neutral should not permit to be done within its jurisdiction; third, they provided methods of prosecuting persons found guilty of committing the acts prohibited by the statute, and they indicated the punishments to be inflicted upon them when convicted; fourth, they exempted certain parts of the Empire from the operation of the statute.

The acts which, if committed within the territory of the neutral, were regarded as violations of its international duties, were enumerated in the second, fifth, sixth, seventh and eighth sections of the statute.

Acts which were to be prevented within a neutral territory during times of war were:

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\*Executive Documents, Vol. I, No. 31, pp. 48-49.

1. The recruitment of subjects or citizens of the neutral, to be employed in the military or naval service of a foreign Government or of persons assuming to exercise the powers of government over any part of foreign territory; or the acceptance of a commission, warrant, or appointment for such service by such a person; or the enlisting or agreeing to enlist in such service; the act in each case being done without the leave or license of the Sovereign.
2. The receiving on board a vessel, for the purpose of transporting from a neutral port, persons who may have been so recruited or commissioned; or the transporting such persons from a neutral port. Authority is given to seize the vessels violating these provisions.
3. The equipping, furnishing, fitting out, or arming a vessel, with intent or in order that it may be employed in the service of such foreign Government, or of persons assuming to exercise the powers of government over any part of a foreign country, as a transport or store-ship, or to cruise or carry on war against a power with which the neutral is at peace; or the delivering a commission for such vessel, the act in each case being done without the leave or license of the Sovereign.
4. The augmenting the warlike force of such a vessel of war by adding to the number of guns, by changing those on board for other guns, or by the addition of any equipment of war, if such vessel at the time of its arrival in the dominions of the neutral was a vessel of war in the service of such foreign Government, or of such persons, the act being done without the leave or license of the Sovereign.

## APPENDIX B

### BY THE QUEEN--A PROCLAMATION\*

Victoria R.:

Whereas we are happily at peace with all sovereigns, powers, and states; And whereas hostilities have unhappily commenced between the government of the United States of America and certain States styling themselves the Confederate States of America;

And whereas we, being at peace with the government of the United States, have declared our royal determination to maintain a strict and impartial neutrality in the contest between the said contending parties:

We therefore have thought fit, by and with the advice of our privy council, to issue this our royal proclamation;

And we do hereby strictly charge and command all our loving subjects to observe a strict neutrality in and during the aforesaid hostilities, and to abstain from violating or contravening either the laws and statutes of the realm in this behalf, or the law of nations in relation thereto, as they will answer to the contrary at their peril.

And whereas, in and by a certain statute made and passed in the 59th year of his Majesty King George the III, intituled "An act to prevent the enlisting or engagement of his Majesty's subjects to serve in a foreign service, and the fitting out or equipping, in his Majesty's dominions, vessels for warlike purposes, without his Majesty's license, it is among other things, declared and enacted as follows:

"That if any natural-born subject of his Majesty," &c., (2d clause of the foreign enlistment act:)

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\*Executive Documents, Vol. VI, No. 11, p. 172.

And it is in and by the said act further enacted, "That if any person within any part of the United Kingdom, &c., (8th clause of the foreign enlistment act:)

Now, in order that none of our subjects may unwarily render themselves liable to the penalties imposed by the said statute, we do hereby strictly command that no person or persons whatsoever do commit any act, matter, or thing whatsoever contrary to the provisions of the said statute, upon pain of the several penalties by the said statute imposed, and of our high displeasure.

And we do hereby further warn all our loving subjects, and all persons whatsoever entitled to our protection, that if any of them shall presume, in contempt of this our royal proclamation, and of our high displeasure, to do any acts in derogation of their duty as subjects of a neutral sovereign in the said contest, or in violation or contravention of the law of nations in that behalf; as for example, and more especially, by entering into the military service of either of the said contending parties as commissioned or non-commissioned officers or soldiers; or by serving as officers, sailors, or marines, on board any ship or vessel of war or transport of or in the service of either of the said contending parties; or by serving as officers, sailors, or marines, on board any ship or vessel of war or transport of or in the service of either of the said contending parties; or by serving as officers, sailors, or marines on board any privateer bearing letters of marque of or from either of the said contending parties; or by engaging to go or going to any place beyond the seas with intent to enlist or engage in any such service, or by procuring or attempting to procure within her Majesty's dominions, at home or abroad, or others to do so; or by fitting out, arming, or equipping any ship or vessel to be employed as a ship of war, or privateer, or transport, by either of the said contending parties; or by breaking or endeavoring to break any blockade lawfully and actually established by or on behalf of either of the said contending parties; or by carrying officers, soldiers, dispatches, arms,

military stores or materials, or any article or articles considered and deemed to be contraband of war according to the law or modern usage of nations, for the use or service of either of the said contending parties, all persons so offending will incur and be liable to the several penalties and penal consequences by the said statute, or by the law of nations in that behalf imposed or denounced.

And we do hereby declare, that all our subjects and persons entitled to our protection who may misconduct themselves in the premises will do so at their peril and of their own wrong, and that they will in nowise obtain any protection from us against any liabilities or penal consequences, but will, on the contrary, incur our high displeasure by such misconduct.

Given at our court at the White Lodge, Richmond Park, this 13th day of May, in the year of our Lord 1861, and in the 24th year of our reign.

God save the Queen.

## APPENDIX C

### A CHART OF THE NAVAL HISTORIES OF THE CONFEDERATE CRUISERS OF EUROPEAN ORIGIN \*

Name by which is best known. Names of Commanders.	Dockyard or first name.	Date started to build or acquired. Place of origin.	Contract negotiated by —	First sailing date. Names of supply vessels.	Captured ships armed and com- missioned at sea.	Eventual fate
Manassas Maffitt Barney Morris	<i>Oreto</i>	Built at Liverpool by W. C. Miller & Sons. Work started in June, 1861.	J. D. Bulloch	From Liverpool, Mar. 22, 1862. <i>Babama</i> and <i>Prince Alfred</i>	<i>Labwig (Oreto)</i> , Mar. 28, 1863. com. S. W. Averett; com. R. S. Floyd. <i>Clarence</i> , May 6; <i>Tacony</i> , June 10; <i>Archer</i> , June 15; com. Charles W. Read	Captured by U.S.S. <i>Wachusett</i> at Bahia, Brazil Oct. 7, 1864. Sunk at Hampton Roads, Va., Nov. 28, 1864.
Enrica Semmes	No. 290 and <i>Enrica</i>	Built at Birkenhead by the Lairds. Work started August, 1861.	J. D. Bulloch	From Liverpool, July 29, 1862. <i>Agrippina</i>	<i>Tuscaloosa</i> , June 21, 1863. (origin the <i>Conrad</i> ). com. John Low	Sunk by U.S.S. <i>Kearsarge</i> off the coast of France, June 19, 1864.
George T. Sinclair	?	Construction ordered in the spring of 1862	J. D. Bulloch	From Liverpool, Jan. 21, 1863.		Wrecked Mar. 19, 1863, trying to enter Charleston.
North's "Id"	?	Built at Glasgow by G. and J. Thompson May, 1862.	Lt. James H. North			Sold to Denmark
George T. Sinclair	<i>Canton</i>	Glasgow July, 1862	George T. Sinclair			Detained by British, Nov. 1863; then retained by builders.
El Mounassir Maudslayi	No. 294, No. 295 Temporary names during Egyptian deal: <i>El Tousson</i> <i>El Mounassir</i>	Birkenhead, July, 1862	J. D. Bulloch	Seized by British, Oct. 1863. Bought for their navy.		Became part of British Navy. (May 20, 1864) under names <i>Scorpion</i> and <i>Wivern</i> .
Virginia Maury	<i>Japan</i> <i>Virginia</i>	Dumbarton. Launched Jan. 10, 1863.	M. F. Maury	From Greenock, Scotland Apr. 2, 1863. <i>Alar</i>		Armament dismantled in Liverpool, May 2, 1864. Ostensibly sold and sent to Lisbon, Aug. 8, 1864. Captured Aug. 15 by U.S.S. <i>Niagara</i> .
Mary Maudslayi	?	Built at Liverpool by W. C. Miller. Launched Mar. 7, 1863.	Built for Fraser, Trenholm who in- tended to present her to Confederacy. Though small, Bulloch admits she could have been armed (I, 338-39).	Seized by British Apr. 5, 1863. Released Apr. 1864.		Name changed to <i>Mary</i> . Sailed for Bermuda, etc.; again seized in Nassau, Dec. 13, 1864. Held for trial until end of war.
Sea King Maudslayi	<i>Sea King</i>	Purchased Sept. 20, 1864. Had made one voyage to Bombay.	J. D. Bulloch	From London Oct. 8, 1864. <i>Laurel</i>		Turned over to British at Liverpool, Nov. 6, 1865. Surrendered to U.S. and sold to Sultan of Zanzibar. Sank in storm in Indian Ocean, 1879.
Edith Maudslayi	<i>Edith</i>	Built in England as blockade runner, and made several trips in spring of 1864. Acted as cruiser from Oct. 29 to Nov. 19, 1864.	?	From Wilmington, Oct. 29, 1864.		Burned after fall of Ft. Fisher in 1865.

CHART OF THE NAVAL HISTORIES OF THE CONFEDERATE CRUISERS OF EUROPEAN ORIGIN

\*Bulloch, Vol. I, pp. viii-xix.



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